

# ★ MINNESOTA ★



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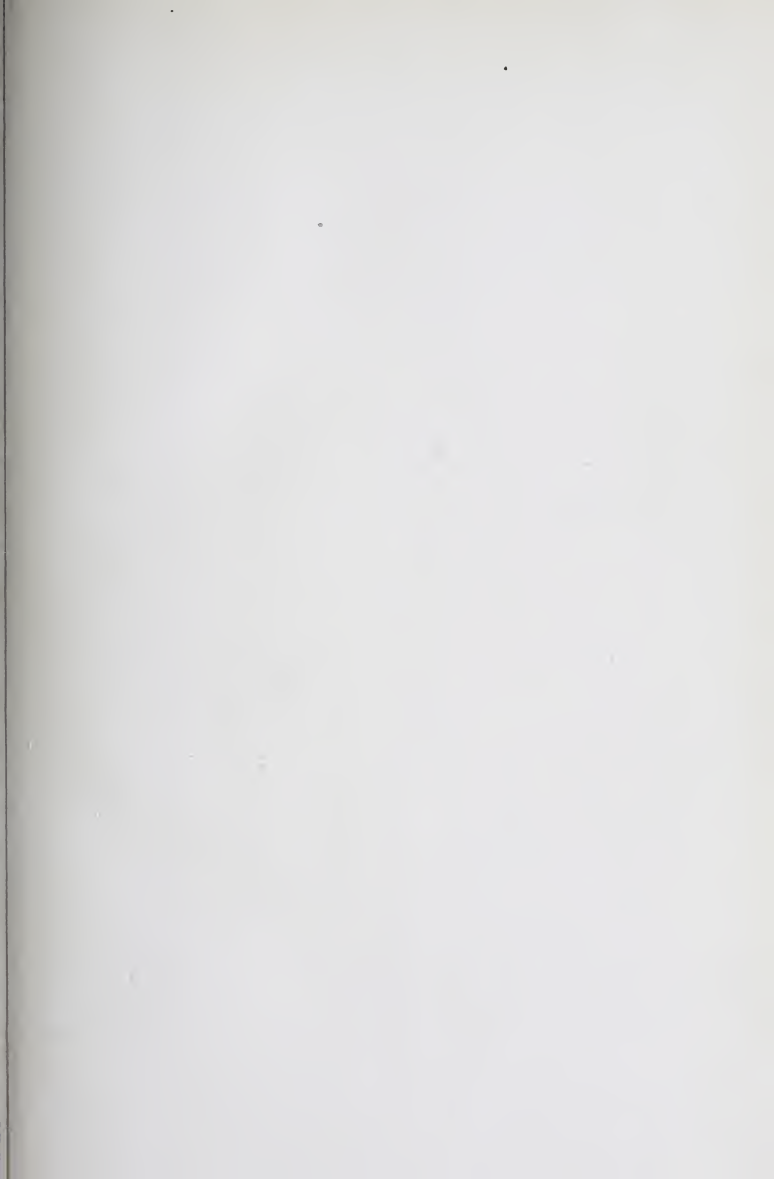


American Commonwealths

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# MINNESOTA

THE NORTH STAR STATE

BY

WILLIAM WATTS FOLWELL



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## PREFACE

IF this compend of Minnesota history shall be found a desirable addition to those already before the public, it will be due to the good fortune of the writer in reaching original sources of information not accessible to his predecessors.

The most important of them are: the papers of Governor Alexander Ramsey, in the possession of his daughter, Mrs. Marion R. Furness; the letter-books and papers of General H. H. Sibley, preserved in the library of the Minnesota Historical Society; some hundreds of letters saved by Colonel John H. Stevens, and deposited by him in the same library; the papers of Ignatius Donnelly, in the hands of his family; the great collection of Green Bay and Prairie du Chien papers belonging to the Wisconsin Historical Society; the remarkable group of early French documents owned by the Chicago Historical Society; and finally, the priceless collection of Minnesota newspapers preserved by the Minnesota Historical Society.

Grateful acknowledgments are offered to many citizens who have given information out of their own knowledge, or have directed the writer to other sources. Among "old Territorians" who have ren-

dered invaluable aid must be named Simeon P. Folsom, John A. Ludden, Joseph W. Wheelock, Benjamin H. Randall, A. L. Larpenteur, A. W. Daniels, John Tapper, and William Pitt Murray. The last named has put me under the heaviest obligation.

W. W. F.

UNIVERSITY OF MINNESOTA,  
MINNEAPOLIS, MINN., June 1, 1908.

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# MINNESOTA

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## CHAPTER I

### THE FRENCH PERIOD

THE word Minnesota was the Dakota name for that considerable tributary of the Mississippi which, issuing from Big Stone Lake, flows southeastward to Mankato, turns there at a right angle, and runs on to Fort Snelling, where it empties into the great river. It is a compound of "mini," water, and "sota," gray-blue or sky-colored. The name was given to the territory as established by act of Congress of March 3, 1849, and was retained by the state with her diminished area.

If one should travel in the extension of the jog in the north boundary, west of the Lake of the Woods, due south, he could hardly miss Lake Itasca. If then he should embark and follow the great river to the Iowa line, his course would have divided the state into two portions, not very unequal in extent. The political history of the two parts is sufficiently diverse to warrant a distinction between Minnesota East and Minnesota West.

England never owned west of the river, Spain gained no foothold east of it. France, owning on both sides, yielded Minnesota East to England in 1763, and sold Minnesota West to the United States in 1803. Up to the former date, the whole area was part of New France and had no separate history.

Although the French dominion existed for more than two hundred years, it is not important for the present compendious work that an elaborate account be made of their explorations and commerce. They made no permanent settlement on Minnesota soil. No institution, nor monument, nor tradition, even, has survived to determine or affect the life of the commonwealth. It will be sufficient to summarize from an abounding literature the successive stages of the French advance from the Atlantic to the Mississippi, their late and brief efforts to establish trade and missions in the upper valley, and the circumstances which led to their expulsion from the American continent.

It is now well known that in the first decade of the sixteenth century Norman and Breton fishermen were taking cod in Newfoundland waters, and it is reasonably surmised that they had been so engaged before the Cabots, under English colors, had coasted from Labrador towards Cape Cod in 1497. The French authorities, occupied with wars, foreign and domestic, were unable to participate with Spain, England, and Portugal in pioneer explorations be-

yond seas. It was not till 1534 that Francis I, a brilliant and ambitious monarch, dispatched Jacques Cartier, a daring navigator, to explore lands and waters reported of by French fishermen, and, if possible, to discover the long-sought passage to Cathay. In the summer of that year Cartier made the circuit of the Gulf of St. Lawrence, and returned to France disappointed of his main purpose. His neglect to enter the great river flowing into the gulf is unexplained. At two convenient places he went ashore to set up ceremonial crosses and proclaim the dominion of his king. In the following year (1535), on a second expedition he ascended the St. Lawrence River to the Huron village Hochelaga, on or near the site of Montreal. He wintered in a fort built near Quebec, where one fourth of his crew died of scurvy. In May, 1536, after setting up another cross with a Latin inscription declaring the royal possession, he sailed away for home. Five years later (1541) Cartier participated in still another expedition, which, prosecuted into a third year, resulted disastrously. The king had spent much money, but the passage to China had not been found, no mines had been discovered, no colony had been planted, no heathen converted.

Throughout the remainder of the sixteenth century the French kings were too much engrossed in great religious wars, fierce and bloody beyond belief but for existing proofs, to give thought or effort to extending their dominion in the New

World. The treaty of Vervins with Spain and the Edict of Nantes, both occurring in 1598, gave France an interval of peace within and without. Henry IV ("Henry of Navarre") at once turned his eyes to the coasts of America, on which as yet no Europeans had made any permanent settlements. His activity took the form of patronizing a series of trading voyages. On one of these, which sailed in 1603, he sent Samuel Champlain, then about thirty-five years of age, a gallant soldier and an experienced navigator. He had already visited the West Indies and the Isthmus of Darien, and in his journal of the voyage had foreshadowed the Panama Canal. He was now particularly charged with reporting on explorations and discoveries. On this voyage Champlain ascended the St. Lawrence to Montreal and vainly attempted to surmount the Lachine Rapids. On the return of the expedition in September of the same year, Champlain laid before the king a report and map. They gave such satisfaction as to lead to a similar appointment on an expedition sent out the following year. For three years Champlain was occupied in exploring and charting the coasts of Nova Scotia and New England, a thousand miles or thereabout.

In 1608 he went out in the capacity of lieutenant-governor of New France, a post occupied for the remaining twenty-seven years of his life, with the exception of a brief interval. On July 3 he staked out the first plat of Quebec. His trifling official

engagements left him ample leisure to prosecute those explorations on which his heart was set; chief of them the road to China.

In 1609, to gain assistance of the Indians in his neighborhood, he joined them in a war-party to the head of the lake to which he then gave his name. A single volley from the muskets of himself and two other Frenchmen put the Iroquois, as yet unprovided with firearms, to headlong rout. Six years later he led a large force of Hurons from their homes in upper Canada between Lake Simcoe and Georgian Bay, across Lake Ontario, to be defeated by the well-fortified Iroquois. The notes of his expedition added the Ottawa River, Lake, Nipissing, the French River, Lake Huron, and Lake Ontario to his map. Could Champlain have foreseen the disasters to follow for New France and the Huron nation, he would not have made the Iroquois his and their implacable enemy. He made no further journeys westward in person, but adopted a plan of sending out young men, whom he had put to school among native tribes, to learn their languages and gather their traditions and surmises as to regions yet unvisited. One of them, Etienne Brulé, who had been his interpreter on the second expedition against the Iroquois, and detached before the battle on an embassy to an Indian tribe, did not return till after three years of extensive wanderings. He showed a chunk of copper which he declared he had brought from the shore of a great

lake far to the west, nine days' journey in length, which discharged over a waterfall into Lake Huron.

In 1634 another of Champlain's apprentices, Jean Nicollet by name, passed through the Straits of Mackinaw and penetrated to the head of Green Bay and possibly farther. He may have been at the Sault Sainte Marie. So confident was he of reaching China that he took with him a gorgeous mandarin's robe of damask to wear at his court reception. Attired in it he addressed the gaping Winnebagoes, putting a climax on his peroration by firing his pistols. Champlain's map of 1632 showed his conjectured Lake Michigan north of Lake Huron. Nicollet gave it its proper location.

Champlain's stormy career closed at Christmas, 1635. The honorable title of "Father of New France" rightly belongs to him, in spite of the fact that in none of his great plans had he achieved success. He had not found the road to the Indies, the savages remained in the power of the devil, and no self-supporting settlement had been planted. Quebec's population did not exceed two hundred, soldiers, priests, fur-traders and their dependents. There was but one settler cultivating the soil.

Exploration languished after Champlain's death, and for a generation was only incidentally prosecuted by missionaries and traders. In 1641 two Jesuit fathers, Jogues and Raymbault, traveled to the Sault Sainte Marie, and gave the first reliable account of the great lake.



From the earliest lodgments of white men on the St. Lawrence the fur-trade assumed an importance far greater than the primitive fisheries. In the seventeenth century the fashion of fur-wearing spread widely among the wealthier people of Europe. The beaver hat had superseded the Milan bonnet. No furs were in greater request than those gathered in the Canadian forests. A chief reason for the long delay of cultivation in the French settlements was the profit to be won by ranging for furs. Montreal, founded in 1642 as a mission station, not long after became, by reason of its location at the mouth of the Ottawa, the entrepôt of the western trade. The business took on a simple and effective organization. Responsible merchants provided the outfit, a canoe, guns, powder and lead, hulled corn and tallow for subsistence, and an assortment of cheap and tawdry merchandise. Late in the summer the "coureurs des bois" set out for the wilderness. Those bound for the west traveled by the Ottawa route in large companies, for better defense against skulking Iroquois. On reaching Lake Huron, they broke up, each crew departing to its favorite haunts.

The chances for large profits naturally attracted to this primitive commerce some men of talent and ambition. In 1656 two such came down to Montreal piloting a flotilla of fifty Ottawa canoes deeply laden with precious furs. They had been absent for two years, had traveled five hundred leagues from home, and had heard of various nations,

among them the "Nadouesiouek." The author of the Jesuit Relation for the year speaks of them as "two young Frenchmen, full of courage," and as the "two young pilgrims," but suppresses their names. Again, in 1660 two Frenchmen reach Montreal from the upper countries, with three hundred Algonquins in sixty canoes loaded with furs worth \$40,000. The Journal of the Jesuit fathers gives the name of one of them as of a person of consequence, Des Groseilliers; and says of him, "Des Grosillers wintered with the nation of the Ox . . . they are sedentery Nadwesseronons."

The two Frenchmen of 1660 are now believed to have been Medard Chouart, Sieur des Groseilliers, and Pierre d'Esprit, Sieur de Radisson, both best known by their titles. The latter was the younger man, and brother to Groseilliers' second wife. In 1885 the Prince Society of Boston printed 250 copies of the "Voyages of Peter Esprit Radisson," written by him in English. The manuscript had lain in the Bodleian Library of Oxford University for nearly two hundred years. No doubt has been raised as to its authenticity. While the accounts of the different voyages are not free from exaggerations, not to say outright fabrications, the reader will be satisfied that the writer in the main told a true story of the wanderings and transactions of himself and comrade. These two men a few years later went over to the English and became the promoters of the Hudson's Bay Company.

If Radisson's story be true, he and Groseilliers were the first white men to tread the soil of Minnesota. As he tells it, the two left Montreal in the month of August (1658), and after much trouble with the "Iroquoits" along the Ottawa, reached the Sault Sainte Marie, where they "made good cheare" of whitefish. Embarking late in the same season, they went along "the most delightful and wonderous coasts" of Lake Superior, passed the Pictured Rocks, portaged over Keweenaw Point, and made their way to the head of Chequamegon Bay. Here they built a "fort" of stakes in two days, which was much admired by the wild men. Having cached a part of their goods, they proceeded inland to a Huron village on a lake believed to be Lake Courte Oreille, in Sawyer County, Wisconsin, where they were received with great ceremony. At the first snowfall the people departed for their winter hunt, and appointed a rendezvous after two months and a half. Before leaving the village the Frenchmen sent messengers "to all manner of persons and nations," inviting them to a feast at which presents would be distributed. The best guess locates this rendezvous on or near Knife Lake, in Kanabec County, Minnesota. That was then Sioux country, and the people thereabout were long after known as Isantis or Knife Sioux, probably because they got their first steel knives from these Frenchmen. While at their rendezvous eight "ambassadors from the nation of the

Beefe" (i. e. Buffalo, of course) came to give notice that a great number of their people would assemble for the coming feast. They brought a calumet "of red stone as big as a fist and as long as a hand." Each ambassador was attended by two wives carrying wild rice and Indian corn as a present. For the feast a great concourse of Algonquin tribes gathered and prepared a "fort" six hundred paces square, obviously a mere corral of poles and brush. A "foreguard" of thirty young Sioux, "all proper men," heralded the coming of the elders of their village, who arrived next day "with incredible pomp." Grand councils were held, followed by feasting, dancing, mimic battles, and games of many sorts, including the greased pole. As described, this was no casual assemblage, but a great and extraordinary convocation. It lasted a fortnight.

The two Frenchmen now made seven small journeys "to return the visit of the Sioux, and found themselves in a town of great cabins covered with skins and mats, in a country without wood and where corn was grown." The account of this six weeks' trip is brief and indefinite. The conjecture that Groseilliers and Radisson traveled a hundred and fifty miles, more or less, into the prairie region west of the Mississippi, either by way of the Minnesota or the Crow Wing rivers, has slight support. The account may have been invented from information obtained of the Sioux at the convocation.

In the early spring of 1660 the two adventurers returned to Chequamegon Bay, whence they continued to Montreal without notable incident. In his narrative Radisson injects after the return from the nation of the Beefe a story of an excursion to Hudson's Bay, occupying a year, which is probably fictitious. The time occupied by the whole journey is well known and could not have included a trip to the "Bay of the North." Still, it is reasonably certain that Groseilliers and Radisson were in Minnesota twenty years before Duluth.

The reader will have already inquired whether the two young Frenchmen of 1654-56, unnamed, might not have been the same with these of 1658-60. This inquiry was frequently made before the discovery of Radisson's narrative. The question was settled by that document. Radisson gives a separate and circumstantial account of a three years' journey of trade and exploration to the west taken by himself and his brother-in-law in 1654. Leaving Montreal in the summer of that year, Groseilliers and Radisson, as the story runs, taking the usual Ottawa River route, reached the Straits of Mackinaw in the early fall. They passed the winter about Green Bay, Wisconsin. The following summer they coasted Lake Michigan and proceeded southward through a country "incomparable, though mighty hot," to the shores of a great sea. They found "a barril broken, as they use in Spaine." They passed the summer on "the shore



of the Great sea." Returning to the north, they spent a winter with the Ottawas on the upper Michigan peninsula. As the excursion to Hudson's Bay already mentioned was a fiction, so is this to the Gulf of Mexico. The traders could not have been absent from the French settlement more than two years. It is in the early spring of 1655, therefore, that we find them setting out from their winter quarters to countries more remote. The essence of Radisson's text is as follows: "We . . . thwarted a land of allmost fifty leagues. . . . We arrived, some 150 of us men and women, to a river-side, where we stayed 3 weeks making boats. . . . We went up ye river 8 days till we came to a nation called . . . the Scratchers. There we gott some Indian meale and corne . . . which lasted us till we came to the first landing Isle. There we weare well received againe."

Upon this indefinite passage has been put the following interpretation. The land journey of fifty leagues (about one hundred and forty miles) took the traders to the east bank of the Mississippi near the southeast corner of Minnesota, where they built boats; the nation who furnished provisions resided about the site of Winona, and the "first landing Isle" was Prairie Island, between Red Wing and Hastings. If this interpretation shall at length be confirmed, Groseilliers and Radisson were in Minnesota twenty-four years before Duluth. Subsequent passages of the narrative lend it some support.



These able and enterprising characters deserve, however, not the least degree of credit as explorers. If they saw the Mississippi and in the later voyage penetrated beyond the Big Woods, they studiously concealed their knowledge. They left no maps, and for no assignable reason suppressed a discovery which would have given them a world-wide fame.

When Cardinal Mazarin died, in 1661, Louis XIV, then twenty-two years of age, stepped on to the stage, "every inch a king." He willingly listened to the suggestion of Colbert, his new minister, that it was time for France to follow English example and establish a colonial system for profit and glory. The Company of New France, promoted by Richelieu, which for nearly forty years had governed Canada, were quite content to surrender their franchises. In 1663 the colony was made a royal province. Associated with the governor a so-called "intendant of justice and finance" was provided in the new administration. The first incumbent was Jean Baptiste Talon, a man of brains, energy, and ambition. He was no sooner on the ground than he began to conceive great projects for extending the French dominion, expanding commerce, and fostering settlements. Colbert, although he sympathized, was obliged to restrain him and suggest that "the King would never depopulate France to people Canada."

Rumors were multiplying of great openings for

trade and missions along and beyond the great lakes. Talon was keen to follow up and verify them. In 1665 the Jesuit Father Claude Allouez established a mission at La Pointe on Chequamegon Bay. Upon an excursion to the head of the lake (Superior) he saw some of the Nadouessiouek (Sioux) Indians, dwellers toward the great River Mississippi, in a country of prairies. They gave him some "marsh rye," as he called their wild rice.

Four years later Father Jacques Marquette succeeded Allouez in that mission. He also heard stories of a great river flowing to a sea, on which canoes with wings might be seen. The Jesuit Relation of 1670-71 gives reports from Indians of a great river which "for more than three hundred leagues from its mouth is wider than the St. Lawrence at Quebec;" and people dwelling near its mouth "have houses on the water and cut down trees with large knives." In the summer of 1669, Louis Joliet, whom Talon had sent to Lake Superior to search for copper, returned, and it was then, probably on his suggestion, that Talon resolved that it was time for the French to plant a military station at the Sault Sainte Marie, a point of notable strategic importance. He determined also to make an impression of French power on the Indians of the West. In the following year he dispatched Nicholas Perrot, of whom we are to hear later, to summon the Pottawattamies, the Winnebagoes, and other accessible nations to a grand

convocation at the Sault Sainte Marie in the spring of 1671. To represent the government, Simon François Daumont, Sieur de St. Luson, was commissioned and took his journey in October, 1670.

On the 14th of June, 1671, the appointed day, the council was held. Fourteen Indian nations were represented. Among the French present were Joliet, Father Allouez, and Perrot. The central act was the proclamation by St. Luson of King Louis's dominion over "lakes Huron and Superior, . . . all countries, rivers, lakes and streams, contiguous and adjacent thereto, with those that have been discovered, and those which may be discovered hereafter, . . . bounded by the seas of the north, west, and south." This modest claim covered perhaps nine tenths of North America. As usual, a big wooden cross was erected and blest. A metallic plate bearing the king's arms was nailed up, and a "procès-verbal" drawn and signed. In that day such a proclamation gave title to barbarian lands until annulled in battle by land or sea. Father Allouez made a speech, which has been preserved, describing the power and glory of the French king in extravagant terms.

Talon could not rest. He was on fire to unlock the secret of the great river and extend the French dominion to the unknown sea into which it might empty. In 1672, with the approval of Colbert, he planned an expedition to penetrate the region in which it was supposed to flow. Joliet was chosen

to lead, and at the end of the year he was at Mackinaw. It was probably no accident that Père Marquette had just been transferred from La Pointe to that station. But the enthusiastic intendant was to close his Canadian career. In the very same year Count Frontenac, the greatest figure in Canadian history, came over to be governor. He was already past fifty, had seen many campaigns, and had wasted his fortune at court. He, too, had ideas, and an ambition to do great things for Canada and France. There was not room enough in the province for two such men as Talon and he. The intendant obtained his recall, and disappeared from the scene.

Frontenac at once adopted Talon's scheme, and gave Joliet leave to go. Accompanied by Marquette he struck the great river at Prairie du Chien, June 17, 1673, and then followed its flow far enough to satisfy himself that it ran to the Mexican gulf. Joliet's great map has a truly modern aspect. The importance of this discovery of the Mississippi for the present purpose is, that it was by way of the great river that the French, with a notable exception, pushed their way into Minnesota.

A company of Canadian merchants resolved to attempt an opening of trade about and beyond the head of Lake Superior, and selected as their agent Daniel Greyloson, the Sieur Duluth, a man of ability and enterprise. He evidently received some kind of public character from Frontenac, whose

enemies insinuated that he was to be a sharer in profits. In the spring of 1679 Duluth penetrated to the shores of Mille Laes, and in a great Sioux village which he understood to be called "Kathio," on July 2 he planted the king's arms and took possession in the royal name. Duluth, therefore, was the first white man in Minnesota not ashamed to report and record the fact. In the same season he retraced his steps to the head of the lake, and passed down the north shore to Pigeon River, which forms part of the Canadian boundary. There, on the left bank of that river, he built a trading post, on the site afterwards occupied by Fort William.

The next dash into the territory of the North Star State was directed by one who has been called the most picturesque figure in American history, René Robert Cavalier, Sieur de la Salle. At the age of twenty-three he broke away from the Jesuits with whom he was in training, and set sail for Canada with four hundred francs in his pocket, in the year 1663. When Frontenac came, nine years later, he found in young La Salle a man after his own heart, and sent him to France in 1674 to secure royal support for further explorations. Such support, then withheld, was vouchsafed four years later, when La Salle was again in Paris on the same errand. By a royal patent signed May 12, 1678, La Salle was authorized to extend the scope of Joliet's exploration to the Gulf of Mexico and



to pay his expenses by trade, provided he kept off the preserves of the Montreal traders.

With the king's patent in hand, it was easy to attract capital and enlist volunteers. Early in the fall of the same year, La Salle was back in Canada with his men and outfit, and soon set out for the west. After battling with a series of delays and discouragements which need not be narrated, the undaunted leader established himself in a fort built on the east bank of the Illinois River, near Peoria, Illinois, in the winter of 1680. There is no record that La Salle had been authorized to explore the upper Mississippi, but he was not the man to lose a good opportunity for lack of technical instructions. To lead an exploring party up that stream he chose Michael Accault, an experienced voyageur, "prudent, brave, and cool," and gave him two associates: Antoine Auguelle, called the Picard du Gay, was one; the other was the now famous Father Louis Hennepin, a Franciscan friar of the Recollet branch, who came over in the same ship with La Salle in 1678. He had wandered in many lands, knew some Indian dialects, and shared La Salle's passion for adventure.

In a bark canoe laden with their arms, personal belongings, and some packs of merchandise which served for money between whites and Indians, the little party set out, after priestly benediction, on February 28, 1680. They dropped down the Illinois to its mouth, and took their toilsome way against

the current of the Mississippi. On April 11, when near the southern line of Minnesota, they encountered a fleet of thirty-three canoes carrying a war-party intent on mischief to certain Illinois tribes. The savages frightened but did not harm the Frenchmen. Accault was able to inform them that the Illinois Indians had crossed the river to hunt. They therefore turned homewards, taking the explorers with them. At the end of the month the flotilla rounded up, as is believed, at the mouth of Phalen's Creek, at St. Paul. Here they abandoned their canoes and set out overland by a trail which would naturally follow the divide between the waters of the Mississippi and the St. Croix, for their villages on Mille Lacs. On May 5 they arrived, and the Frenchmen, compelled to sell their effects to their captors, were sent to separate villages. The friar lost his portable altar and brocade vestments; otherwise they were not unkindly treated. Some weeks passed, when Hennepin and Auguelle were allowed to take a canoe and start for the mouth of the Wisconsin, where La Salle promised to send supplies. Accault preferred to join a great hunting party that was about setting out. Hennepin and his comrade left the hunters at the mouth of Rum River, and paddling with the current soon found themselves at the falls called by the Dakotas *Mi-ni-i-ha-ha*, the rushing water, then first seen by white men, to which he gave the name of his patron saint, Anthony of Padua. His description



of the cataract and surroundings is reasonably accurate, although he greatly exaggerated its height. No rival has claimed the credit of their discovery. Passing on down the river, they met an Indian who informed them that the hunting party was not far away, on some tributary. They abandoned their lonesome journey and joined the hunters, who, the hunt over, were about returning to their villages.

We left Duluth in his fort at the mouth of Pigeon River in the fall of 1679. He wintered there, and, as he relates, dissatisfied with his discoveries of the previous summer, resolved on a new adventure. When the season of 1680 opened he set out with four Frenchmen and two Indian guides, ascended the Bois Brulé River, portaged over to the head of the St. Croix, and followed that down to Point Douglass, where he doubtless recognized the great river. Here he learned that but a short time before two Frenchmen had passed down in a canoe. He instantly followed, and after forty-eight hours of lively paddling met the Sioux hunters and with them Accault, Auguelle, and Hennepin. All the French now traveled with the Indians to their villages on Mille Lacs, this time up the Mississippi and Rum rivers. The season was now far advanced and Duluth was obliged to give up his project of a journey to "the ocean of the west," which he believed to be not more than twenty days' march distant. Furnished with a rude but truthful map sketched by one of the Sioux chiefs, and pro-

mising the Indians to return to trade, the eight white men took their departure for home by Prairie du Chien and Green Bay. Hennepin returned to France and in 1682 published his "Description of Louisiana." He knew how to tell an interesting story, and stuck as close to the truth as most annalists of his day. He assumed to have been the leader of the exploring party. Fifteen years later there was published in Holland a book under the title of "A New Discovery of a Great Country." It contained all the matter of Hennepin's "Description," and some one hundred and fifty pages more. These interpolated into the original story a journey of more than three thousand miles in thirty days, from the mouth of the Illinois to the Gulf of Mexico and back, before ascending the Mississippi. If Hennepin himself wrote the injected pages, he was the shameless liar which he has been frequently declared to be. There is room, however, for the suggestion that the added pages were the work of some literary hack employed by dishonest publishers to give the book the appearance of a new one; but a good degree of charity is necessary to entertain this theory, as there is no record of any disavowal by Hennepin. Granting Hennepin to have been the leader, it must be remembered he was an agent of La Salle. La Salle's foresight and enterprise sent him to the land of the Dakotas and to the Falls of St. Anthony.

It was not till the winter of 1682 that La Salle

was able to embark from his fort at Peoria. Sixty days of easy canoe navigation brought him to one of the islands at the mouth of the Mississippi. There in the month of April, under his royal patent, he set up a cross and proclaimed the sovereignty of Louis le Grand over the whole valley of the great river and all its tributaries. On the "procès-verbal" of that transaction rests every land title in Minnesota.

Duluth and La Salle by means of Accault's reports revealed to Count Frontenac the magnificence of the upper Mississippi region, and Father Hennepin's book, dedicated to the king, seems to have inspired Louis XIV with a desire to occupy and possess that goodly land. In 1686 the able and experienced Nicholas Perrot, who had been appointed commandant of the west with orders to make an establishment there, built a fort on the east bank of Lake Pepin, and called it Fort St. Antoine. The site has been clearly identified about two miles below the "Burlington" railroad station of Stockholm, Pepin County, Wisconsin. Summoned the following year to lead a contingent of voyageurs and savages in the campaign against the Iroquois in the Genesee valley of western New York, he did not return to Fort St. Antoine till late in 1688. To satisfy any lingering doubts about the legitimate sovereignty of those parts, he made formal proclamation of his king's lordship over all the countries and rivers he had seen and would see. Perrot was too useful a man to be left in the wil-

derness, and was presently ordered on other service and his fort left empty.

Another attempt at settlement on the upper Mississippi was made by a Canadian, Pierre Le Sueur, an associate of Perrot, who in 1694 established a trading post on Prairie Island in the Mississippi, about nine miles below Hastings, the same on which Groseilliers and Radisson are imagined to have camped in 1655. Le Sueur stayed over one winter in the west, and returned to Montreal to discover to Frontenac a new project. He had located a copper mine. He hastened to Paris to obtain the king's license, then necessary for mining operations. After a struggle of two years he got his permit and started for Canada. The English caught him and held him a prisoner for some months. Returning to France, he found his license canceled, because of a resolution of the government to abandon all trade west of Mackinaw. At length Le Sueur was excepted from the rule and his license renewed. In 1699 he sailed with the expedition of D'Iberville, which was to make and did make the first settlement out of which New Orleans grew.

In the midsummer following he made his way with a sailboat and two canoes up the Mississippi, reaching Fort Snelling September 19. He doubtless knew where he was going, for without delay he turned into the Minnesota River, which he followed to the mouth of the Mah-ka-to or Blue Earth. A short distance above, the latter stream receives

the Le Sueur. At their junction he built a fort to which he gave the name of a treasury official of Paris who had supported him, "Fort L'Huillier." The spot has been identified by a local archæologist. He was obliged to pacify with presents the Sioux who were displeased because he did not build at the mouth of the Minnesota. His company passed a comfortable winter, but before it was over they had to come down to buffalo beef without salt. Some of them could put away six pounds along with four bowls of broth daily. In the spring Le Sueur departed for Biloxi, with his shallop loaded with bluish green earth taken from a bluff near his fort. He never saw Minnesota again, and no later explorer has rediscovered his mine. The state geologist has not found the least trace of copper in the region.

The last decade of the seventeenth century was one of discouragement for old France and new. Louis XIV, decrepit and bankrupt, dominated by Madame Maintenon and a group of ecclesiastics, had, by revoking the Edict of Nantes in 1685, driven three hundred thousand and more of the most industrious and skillful artisans and tradesmen of France into exile. The dragonades, countenanced even by such men as Fénelon and Bossuet, had spread ruin throughout whole provinces. Foreign wars along with domestic convulsions had almost beggared the kingdom.

Frontenac had died in office in 1689, and Cana-



dian affairs, fallen into less capable hands, were languishing. There was lack of men and money to protect the northwest trade. It needed protection. The English, holding the Iroquois in alliance, had pushed their trade into the Ohio valley and the lower peninsula of Michigan. The Sacs and Foxes of the Illinois country, old allies of the French, had broken away, and closed all the roads from the lakes to the Mississippi unless that of the St. Croix. For these reasons the Canadian government had in 1699 withdrawn the garrison from Mackinaw, abandoned all ports farther west, and ordered the concentration of Indian trade at Montreal. It was not till after the war of the Spanish Succession was closed by the treaty of Utrecht, in 1713, that any thought could be taken for the revival of trade and missions in the Mississippi valley. England might at that time have stripped France of all her transatlantic holdings, but contented herself with Newfoundland and the posts on Hudson's Bay.

In 1714 the French garrison was reëstablished at Mackinaw, which remained the headquarters of trade with the Algonquins of the northwest till far into the nineteenth century. Three years later Duluth's old fort on Pigeon River was reoccupied, to become a great entrepôt of trade with the inland natives; a year later still La Pointe received a small garrison.

Ten years passed before the effort to plant French trade and missions was renewed on the

upper Mississippi. Charlevoix, the historian of New France, was over in 1720 and traveled by way of Mackinaw and Green Bay to New Orleans. By his advice the French government resolved to plant an establishment in the country of the Sioux, as a centre of trade and mission work, and as a point of departure for expeditions to gain the shores of the western sea. The hostile Sacs and Foxes having been placated, an expedition was planned with all the care which long experience could suggest. For leader was chosen René Boucher, *Sieur de la Perrière*, the same who in 1708 had headed the raiding party which descended on Haverhill, thirty-two miles north of Boston, where his Indians butchered thirty or forty of the English. Two Jesuit fathers, Guinas and De Gonor, attached themselves to the expedition, and asked for a supply of astronomical instruments. In June, 1727, the expedition set out from Montreal and took the then main traveled road by way of Mackinaw and Green Bay. A letter of De Gonor, which has been preserved, gives an interesting account of the journey.

On September 17, 1727, at noon, *La Perrière* beached his canoes on a low point of land on the west shore of Lake Pepin, near the steamboat landing at Frontenac. Putting his men to work with axes, he had them all comfortably housed by the end of October. There were three log buildings, each 16 feet wide; one 30, a second 38, and the third 25 feet long. Surrounding them was a



stockade of three trunks 12 feet out of ground, 100 feet square, "with two good bastions." The fort was named "Beauharnois" after the governor-general of Canada. To the first mission on Minnesota soil the priests gave the title, "Mission of St. Michael the Archangel." On November 4 the company celebrated the birthday of the governor, but were obliged by the state of the weather to postpone to the night of the 14th the crowning event of their programme. They then set off "some very fine rockets." When the visiting Indians saw the stars falling from heaven, the women and children took to the woods, while the men begged for an end of such marvelous medicine. The Sioux were not disposed to be hospitable, and the good behavior of the Sacs and Foxes could not be counted on. In the following season La Perrière departed with the Jesuits and eight other Frenchmen for Montreal. The post was held, and occupied off and on for twenty years or more. No settlement was made about it, no permanent mission work was established, and no expedition towards the Pacific was undertaken. The Indians were unreliable, the French had other interests to attend to, and, contrary to expectation, game was scarce in the region.

One of the successors of La Perrière in command of Fort Beauharnois was Captain Legardeur Saint Pierre, the same officer who in 1753 at his post on French Creek, not far from Pittsburg, was waited on by young Mr. Washington, bearing Governor

Dinwiddie's invitation to the French to get out of Virginian territory.

Another French adventure, although of slight import to Minnesota, deserves mention. The Sieur de la Verendrye, commanding the French post on Lake Nipigon, fell in with the Jesuit Guinas, who went out with La Perrière in 1727, and was inflamed by him with a desire to find the western ocean. At his own post he had found an Indian, Ochaga by name, who sketched for him an almost continuous water route thither; another offered to be his guide. He hastened to Montreal, secured the assent of the governor-general, Beauharnois, and in 1731 dispatched his advance party. It reached the foot of Rainy Lake that year, and there built a fort on the Canadian side. The next year the expedition made its way to the southwest margin of the Lake of the Woods and there built Fort Charles, giving it the Christian name of the governor-general. Whether this fort was on Minnesota soil is undecided.

So ardent was Verendrye's passion for the glory of discovering the way to the western sea that, encouraged by the Canadian authorities, he kept up the quest for more than ten years longer. On January 12, 1743, the Chevalier Verendrye, as related, climbed one of the foothills of the Shining or Rocky Mountains, and gave it over. Sixty years later Lewis and Clark passed that barrier and won their way to the Pacific.

## CHAPTER II

### THE ENGLISH DOMINION

IF the French failed to establish any permanent settlement in Minnesota, it was not wholly because their passion for trade discouraged home-building and cultivation; they had interests elsewhere in America more important than those of the northwest. La Salle's proclamation of 1682 asserted dominion of the whole region drained by the Mississippi and its tributaries. For a time the Ohio was regarded as the main river and the upper Mississippi as an affluent. Before the close of the seventeenth century both French and English were awake to the beauty and richness of the Ohio valley and the Illinois country. The building of a fort by Cadillac at Detroit in 1701 was the first act on the part of the French to maintain their claim of sovereignty. In the treaty of Utrecht, 1713, the English, with a long look ahead, secured the concession that the Iroquois were the "subjects" of England. In a series of negotiations culminating in a treaty at Lancaster, Pa., the Iroquois ceded to the English all their lands west of the Alleghanies and south of the great lakes. On this cession the English put the liberal construction that the Iroquois were

owners of all territory over which they had extended their victorious forays, and which they had good right to convey. In 1748 the Ohio Company, formed in Virginia, sent Christopher Gist to explore the Ohio valley. The next year a governor of Canada sent an expedition down the Ohio to conciliate the Indians and to bury leaden plates at chosen points, asserting the dominion of France. A line of fortified posts was stretched by the French from Quebec to Fort Charles below St. Louis, on the Mississippi.

When in 1754 a French battalion drove off the party of English backwoodsmen who had begun the erection of a fort at the forks of the Ohio, and proceeded to build Fort Duquesne, the French and Indian War began. The course of this struggle, exceeding by far in point of magnitude the war of the Revolution, cannot here be followed. At the close of the campaign of 1757 the French seemed triumphant. In the year following they lost Fort Duquesne, in 1759 Quebec, and in 1760 Montreal. The power of the French in North America was broken. Historians of Canada still name the epoch that of "the Conquest."

The diplomatic settlement of this contest awaited the outcome of a great war raging in Europe, the so-called Seven Years' War of Frederick the Great against Austria, Russia, and France. England was early drawn into the support of the Prussian monarch, and supplied his military chest and sent an

army to the continent. France presumptuously aspired to wrest the empire of the seas from Britain, with the result that her navies were sunk or battered to useless wrecks. In a separate treaty signed at Paris, February 10, 1763, France surrendered to England all her possessions and claims east of the Mississippi except the city of New Orleans and the island embracing it. The British government, however, was none too desirous to accept this cession. It was a matter of lively debate in the ministry whether it would not be the better policy to leave Canada to the French and strip her of her West Indian possessions. That course might have been adopted, but for the influence exerted by Benjamin Franklin's famous "Canada Pamphlet," which is still "interesting reading." Franklin was in England while the question was pending, and published his views in answer to "Remarks" ascribed to Edmund Burke.

It may be well to note here that in the year preceding the treaty of Paris (1762) France had taken the precaution to assign to Spain, by a secret treaty, all her North American possessions west of the Mississippi, and thus put them out of the reach of England.

It was the 8th of September, 1760, when the capitulation of Montreal was signed, turning all Canada over to the British. Five days later Amherst, the victorious commander, dispatched Major Robert Hayes with two hundred rangers to

take possession of the western posts. Expected opposition at Detroit was not offered, and that important strategic point was occupied on November 29. The season was then too late for further movements, and more than a year passed before garrisons were established at Mackinaw and Green Bay. The British were none too welcome among the savages, long accustomed to French dealings and alliances. But French influence was not what it had formerly been. During the long struggle for the mastery of the continent the Indian trade had languished, and in remoter regions the savages had reverted to their ancient ways and standards of living. The trade revived, however, under British rule, which brought peace and protection. In 1762 the British commandant gave a permit to a Frenchman named Pinchon to trade on the Minnesota River, then in Spanish territory. Four years later the old post on Pigeon River was revived and trade was reopened in northern Minnesota. Prairie du Chien became in the course of a decade a village of some three hundred families, mostly French half-breeds, and remained a supply station for the Indian trade of southern and central Minnesota till far into the nineteenth century.

The British authorities in Canada indulged no romantic passion to discover the south or western sea, and were indifferent for a time to the development and protection of trade in the northwest. This fact lends brilliance to the adventures of a



single American born subject who in 1766 set out alone for the wilderness, resolved to cross the Rocky Mountains, descend to the western ocean, and cross the Straits of Anion to Cathay. Such was the bold enterprise of Jonathan Carver of Canterbury, Connecticut, at thirty-four years of age. He was not unlettered, for he had studied medicine; and he was not inexperienced, for he had served with some distinction as a line officer in a colonial regiment in the French and Indian War. Departing from Boston in June (1766), he traveled the usual way by the lakes to Mackinaw, where he found that versatile Irish gentleman, Major Robert Rogers, his comrade in arms, in command. There is a tradition, needing confirmation, that this officer "grub-staked" Carver for trade with the Sioux and possible operations in land. However, he left Mackinaw in September supplied with credits on traders for the goods serving for money with Indians, and taking the Fox-Wisconsin route, found himself at the Falls of St. Anthony on the 17th of November. Although he estimated the descent of the cataract at thirty feet, it impressed him only as the striking feature of a beautiful landscape. "On the whole," says he, "when the Falls are included, . . . a more pleasing and picturesque view, I believe, cannot be found throughout the universe." After a short excursion above the falls, Carver took his way up the Minnesota, as he estimated, two hundred miles.



He passed the winter with a band of Sioux Indians which he fails to name, and in a place he does not describe, and in the spring came down to St. Paul with a party of three hundred, bringing the remains of their dead to be deposited in the well-known "Indian mounds" on Dayton's Bluff. The cave in the white sand rock entered by him on his upward journey, and which bore his name till obliterated by railroad cuttings, was nearly beneath the Indian mounds. His report of a funeral oration delivered here by one of the chiefs so impressed the German poet Schiller that he wrote his "Song of the Nadowessee Chief," which Goethe praised as one of his best. Two very distinguished Englishmen, Sir Edward Bulwer Lytton and Sir John Herschel, made metrical translations of this poem in the fashion of their time.

This journey was but a preliminary one to find and explore the Minnesota valley and acquaint Carver with the tribes dwelling there and their languages. He had conceived that a short march from the head of that river would take him to the Missouri. This he would ascend to its sources in the mountains, and crossing over these he would float down the Oregon to the ocean. Major Rogers, as he relates, had engaged to send him supplies to the Falls of St. Anthony. Receiving none, Carver hastened down to Prairie du Chien, to be again disappointed.

Resolved on prosecuting his great adventure, he

decided to apply to the traders at Pigeon River for the necessary merchandise. Paddling back up the Mississippi, he took the St. Croix route to Lake Superior, and coasted along the north shore to that post, only to find, after many hundred miles of laborious travel, that the traders had no goods to spare him. He could do nothing but return to his home. In 1768 he went to England, hoping to interest the government in his project, and in the following year published his book of travels. It is now known that little if any of it was his own composition. His account of the customs of the Indians was pieced together from Charlevoix and Lahontan. But the work of his editor, a certain Dr. Littsom, was so well done that "Carver's Travels" have been more widely read than the original works drawn upon.

There is very doubtful testimony to the effect that in 1774 the king made Carver a present of £1373 13s. 8d., and ordered the dispatch of a public vessel to carry him and a party of one hundred and fifty men by way of New Orleans to the upper Mississippi, to take possession of certain lands. The Revolutionary War breaking out, the expedition was abandoned.

Carver died in poverty in England in 1780, and might be dismissed but for a sequel which lingers in Minnesota to the present time. After his death there was brought to day a deed purporting to have been signed by two Indian chiefs, "at the

great cave," May 1, 1767, conveying to their "good brother Jonathan" a tract of land lying on the east side of the Mississippi one hundred miles wide, running from the Falls of St. Anthony down to the mouth of the Chippeway, embracing nearly two million acres. A married daughter, by his English wife, and her husband bargained their alleged interest to a London company for ten per cent. of the realized profits, but that company soon abandoned their venture. Carver left behind him an American family, a widow, two sons, and five daughters. In 1806 one Samuel Peters, an Episcopal clergyman of Vermont, represented in a petition to Congress that he had acquired the rights of these heirs to the Carver purchase, and prayed to have it confirmed to him. This Peters claim was kept before Congress for seventeen years. In 1822 the Mississippi Land Company was organized in New York to prosecute it. They seem to have been taken seriously, for in the next year a Senate committee, in a report of January 23, advised the rejection of the claim as utterly without merit. But it has been repeatedly renewed, and doubtless at the present time there are worthy people dreaming of pleasures and palaces when they come into their rights.

For the first three years following the Conquest all Canada remained under military rule. In 1763 George III by proclamation established four provinces with separate governments, but the great

northwest region was included in none of these. That remained as crown land, reserved for the use of the Indians under royal protection. All squatters were ordered to depart and all persons were forbidden to attempt purchases of land from the Indians. This prohibition alone was fatal to Carver's claim. The United States could not possibly confirm a purchase impossible under English law. It was the express design of the British government to prevent the thirteen colonies from gaining ground to the west, and "leave the savages to enjoy their deserts in quiet."

In 1774, about the time when Parliament was extending its novel sway over the American colonies, the "Quebec act" was passed. This act extended the Province of Quebec to the Mississippi and gave to Minnesota East its first written constitution. This provided for a government by a governor and an appointed legislative council, but it was never actually effective west of Lake Michigan.

Under the definitive treaty of peace between Great Britain and the United States, the dominion of the former over Minnesota East ceased, but that of the United States government did not immediately supervene. Virginia under her charter of 1609 had claimed the whole Northwest, and her army, commanded by General George Rogers Clark, had in 1779 established her power in the Illinois country. Three years later the county of Illinois was

created and an executive appointed by Governor Patrick Henry. The act of Congress of March 1, 1784, accepting the cession of her northwestern lands, amounting to a concession of colorable title, ended Virginia's technical government in Minnesota East. From that date to the passage of the Ordinance of 1787 (July 13) this region remained unorganized Indian country. This great ordinance made it part of "the Northwest Territory" and gave it a written constitution. But this was nugatory for the reason that although Great Britain had in form surrendered the territory in the treaty of 1783, she continued her occupation for thirteen years longer. Her pretext for maintaining her garrisons at Detroit, Mackinaw, Green Bay, and elsewhere was the failure of the United States to prevent the states from confiscating the estates of loyalists and hindering English creditors from collecting their debts in full sterling value, as provided in the treaty. The actual reason was an expectation, or hope, that affairs would take such a turn that the whole or the greater part of the Ohio-Illinois country might revert to England. A new British fort was built on the Maumee River in northwestern Ohio in 1794. The surrender of this to General Anthony Wayne after the battle of Fallen Timbers, in August of that year, has been regarded as the last act in the war of the Revolution. By the Jay treaty it was agreed that the western posts should be given up to the United States, and



on or about the 12th of July, 1796, the British commanders hauled down their flags and marched out their garrisons.

There was a powerful interest which had encouraged the British authorities to hold their grip on the Northwest. The revival of the fur-trade after the Conquest was tardy, but soon after Carver's time a notable development took place. Another Connecticut Yankee, Peter Pond by name, in 1774 established a trading post at Traverse des Sioux on the Minnesota. On a map left by him it is marked "Fort Pond." The trade west of the lakes, however, early fell into the hands of adventurous Scotchmen of Montreal, among whom competition became so sharp as to lead to what would have been called, a hundred years later, a "trust" or "combine." An informal agreement between the principal traders at Montreal ripened, in 1787, into "The Northwest Company," with headquarters in that city. This company promptly and effectually organized the northwestern fur-trade. It established a hierarchy of posts and stations, and introduced a quasi-military administration of the employees. It wisely took into its service the old French and half-breed "engagés and voyageurs," and rewarded them so liberally as to win them from illicit traffic. For forty years the Northwest Company was the ruling power west of the lakes, although it had not, as had the Hudson's Bay Company, its model, any authorized political

functions. Its policy and discipline served in place of laws and police.

The greater distributing and collecting ports were Detroit, Mackinaw, and Fort William; and next in importance were such places as La Pointe, Fond du Lac, and Prairie du Chien, from which the trade of the upper Mississippi was managed. Fond du Lac, near the mouth of the St. Louis River, at the head of Lake Superior, was the gateway to an immense region abounding in the finest peltries and occupied by a large Chippeway population, eager to buy the white man's guns and ammunition, knives, kettles, tobacco, and, most dearly prized of all, his deadly fire-water. From Fond du Lac there was a canoe route to the lakes which are the proximate sources of the great river. It led up the St. Louis River to the mouth of the East Savanna near the Floodwood railroad station. From the head of the East Savanna a short portage led to the West Savanna, an affluent of Prairie River which empties into Sandy Lake, near the southwest corner of Aitkin County. That water covers near half a township and discharges by a short outlet into the Mississippi, some twenty-five miles above the village and railroad station of Aitkin. Here in 1794 the Sandy Lake post of the Northwest Company was built. There was a stockade one hundred feet square, of hewn logs one foot square, and thirteen feet out of ground. Within were the necessary buildings, and without, fenced



in, a considerable garden. From Sandy Lake radiated numerous "jackknife posts," where the bush-rangers wintered and swapped gewgaws for pelts. For many years Sandy Lake was the most important point in Minnesota, the chief factor there the big man of the Chippeway country.

## CHAPTER III

### MINNESOTA WEST ANNEXED

THE reader is asked to recall the cession by France, in 1762, of her American territory west of the Mississippi to Spain. The French population of Louisiana, resenting this arbitrary transfer, drove out the Spanish governor who came in 1766, and organized for a free state under French protection. In 1769 a Spanish fleet of twenty-four sail, bringing an army of twenty-six hundred men and fifty cannon, under the command of a forceful captain-general, securely established the power of Spain. The laws of Castile, derived from the civil code of Rome, were put in force, and they continue in force to the present day. By a line about on the latitude of Memphis a province of Upper Louisiana was set apart and placed under the control of a lieutenant-governor residing at St. Louis. Minnesota West was of course a part of this jurisdiction.

In the last years of the eighteenth century Napoleon Bonaparte was absolute in France, although not yet crowned emperor. Among the schemes with which his imagination was busied was one to establish another new France on the western continent. Louisiana had been a costly dependency for Spain,

and it was only by a reluctant but timely concession of the right of navigation and deposit that an armed descent of Americans from the Ohio valley on New Orleans had been averted. That would have put an end to Spanish rule. Spain willingly retroceded to France for a nominal consideration, by the secret treaty of San Ildefonso, March 13, 1801. Already Napoleon had formed a definite plan and begun preparations to send 25,000 veteran soldiers to Louisiana, under convoy of a powerful fleet. His secret could not be kept, and England made ready to attack the expedition at sea. Napoleon had reason to expect that she would descend on New Orleans herself, and take possession of the province. While he was in this frame of mind the American minister, under instructions, expressed the desire of his government to buy the city and island of New Orleans and thus make the Mississippi the international boundary to its mouth. To his surprise Napoleon offered to sell the whole province, spite of his agreement with Spain never to cede to any other power. The Louisiana purchase was consummated by treaty April 30, 1803. Meantime the province had remained in the possession of Spain, and it was not till November 30 that she turned New Orleans over to the French. Twenty days later the United States came into possession. The upper province of Louisiana was held but one day by a French commissary, who on March 10, 1804, at St. Louis, conveyed it to the

United States. The cost to the government was three and six tenths cents per acre.

The actual surrender of Upper Louisiana in 1804 added geographically Minnesota West, included in that province, to Minnesota East, then part of Crawford County, Indiana. The whole region was still occupied by aborigines, and a generation was to pass before any of it became white man's country. Two great nations divided the territory, the Chippeways, of Algonquin stock, occupying the north and east; the Sioux or Dakotas the south and west. Both were immigrant from early eastern habitats, the Chippeways moving north of the lakes (Lake Superior split the stream), the Sioux south of the same. When first seen by white men, the latter held the country about the sources of the Mississippi, the head of Lake Superior, and to the St. Croix. The Chippeways were first to obtain guns from the white man, and began at once to push the Sioux before them. In Hennepin's time (1680) the principal villages of the Sioux were in the Mille Lacs region. By the close of the Revolutionary War the Chippeways had driven them south of the Crow Wing and west of the Mississippi, leaving them only a precarious hold on the margin of their old hunting grounds. From their earliest encounters the two nations had been unremitting foes. But for occasional truces they were always at war; and this perennial feud did not cease till the government in 1863 moved the Sioux beyond the

Missouri, out of the reach of the Chippeways. The two nations possessed in common the well-known characteristics of the red man, physical, mental, and social, but a difference of environment had established marked peculiarities. The Chippeways were men of the forest and stream; their women gathered wild rice, excellent for food. The Sioux, men of the prairie, were the taller and more agile, but the Chippeways outmatched them for strength and endurance.

Both peoples had already been profoundly affected by contact with white men. If the missionary had not broken the power of the medicine-man and converted them to the true faith, the trader had revolutionized their whole manner of life. He had given the Indian the gun for his bow and arrows, axes and knives of steel for those of stone, and the iron kettle for the earthen pot. The Mackinaw blanket and the trader's strouds had replaced garments made from skins, and ornaments of shell and feathers had given way to those of metal and glass.

Before the trader the Indian had hunted for subsistence, content when he had supplied his family and dependents with food and clothing. The trader made him a pot-hunter, killing mostly for the skins alone. Game animals became scarce about the villages, and hunting expeditions had to be made to distant grounds, where the enemies' parties would be met and fought. The Indian had become a vassal

to the trader, who outfitted him for the hunt, and at its end took his furs in payment at rates little understood by the man who did not know that the white metal was worth more than the red. If anything remained from the Indian's pack it was very likely to be forthwith spent for the highly diluted whiskey of the trader. The Indian's fondness for spirits and their effects was at least equal to the white man's, and he had not become immune from immemorial indulgence. The resulting crime and misery are beyond description, — conception, almost. And the trader's excuse was that the Indians would not trade if whiskey was not furnished, and that it was absurd for one to refuse it when all the rest were selling. Along with the white man came his epidemic diseases. Smallpox and measles depopulated villages and almost extinguished tribes. A nameless contagion was only less deadly. Unbridled commerce with the women multiplied half-breeds, possessing frequently all of the vices and few of the virtues of both races. The half-breed was always a misfit, because he could assume by turns the character of white or red, according to convenience and profit.

All the Minnesota Indians were clients of the Northwest Company, unless where along the northern border the agents of the Hudson's Bay Company were drawing off the trade by abundant whiskey. This competition at length brought the two companies to open war.



Long before he became president, Jefferson was curious to unlock the secret of the unknown west and learn the road to the Pacific. It was not till the early winter of 1803, however, that he was able to persuade Congress to make a small appropriation for a military expedition of discovery, and then under color of "extending the external commerce of the United States." And more than a year passed before the expedition of Lewis and Clark set out from St. Louis May 4, 1804.

A similar expedition on a smaller scale left St. Louis September 21, 1805, to discover the source of the Mississippi. It was led by First Lieutenant Zebulon Montgomery Pike of the First Infantry, a native of New Jersey, then twenty-six years of age. "He was five feet eight inches tall; eyes blue; hair light; abstemious, temperate, and unremitting in duty." If there could have been doubt of his fitness for the enterprise, the sequel fully justified his selection. His instructions were carefully drawn to keep him and his errand within constitutional limits. The first entry of his journal reads, "Sailed from my encampment, near St. Louis, at 4 o'clock, P. M., on Friday the 9th of August, 1805: with one sergeant, two corporals, and seventeen privates, in a keel boat, 70 feet long, provisioned for four months." On the 21st of September Pike reached the mouth of the Minnesota, and "encamped on the northeast point of the big island," which still bears his name. The next day Little Crow, grand-



father of the chief of the same name who led the outbreak of 1862, came with his band of one hundred and fifty warriors. On the third day a council was held under the shelter of the sails, on the beach. In his speech Pike let the Indians know that their Great Father no longer lived beyond the great salt water, and that the Canadian traders who tried to keep them in ignorance of American independence were "bad birds"; that traders were forbidden to sell rum, and the Indians ought to coöperate in preventing them; and that the Sioux and Chippeways ought to live in peace together. In particular he asked that they allow the United States to select two tracts of land, one at the mouth of the St. Croix, the other above the mouth of the Minnesota. On these the Great Father would establish military posts, and public trading factories, where Indians could get goods cheaper than from the traders.

The well-advised officer had already crossed the hands of the two head chiefs. He closed his speech with a reference to their "father's tobacco and some other trifling things" as evidence of good will, and promised some liquor "to clear their throats." The chiefs saw no need of their signing any paper, but did it to please the generous orator. The "treaty" is a curiosity in diplomacy. The first article grants, what the United States already possessed, "full sovereignty and power" over two tracts of land: one of nine miles square at the mouth of the St.

Croix; the other "from below the confluence of the Mississippi and St. Peter's (Minnesota) up the Mississippi to include the Falls of St. Anthony, extending nine miles on each side of the river." Pike estimated the area of the latter grant to be about one hundred thousand acres and the value to be \$200,000. The second article provides that "the United States shall pay . . . dollars." The final article permits the Sioux to retain the only right they could legally convey, that of occupancy for hunting and their other accustomed uses.

Five days were passed at the Falls of St. Anthony, partly because of the sickness of some of the men. Pike took measurements and made a map. He found the depth of the fall to be sixteen and a half feet. The portage on the east bank was two hundred and sixty rods. The navigation of the river above proved so difficult that it was not till the 16th of October that the party reached the mouth of the Swan River. It was the expectation of his general and of Pike himself that the march to the source of the Mississippi and back would certainly be finished before the close of the season. By the time he was ready to leave the falls, September 30, it was evident that the journey could not be accomplished in any such period. Resolved to prosecute it, and not go back defeated, he formed the plan to push on to the mouth of the Crow Wing, put his stores and part of his men under cover, and go forward on foot to his destination. On the

way up river he had a foretaste of the hardships which awaited him. As he says, he "literally performed the duties of astronomer, surveyor, commanding officer, clerk, spy, and guide." Finding it impossible to force his boats through the rapids below Little Falls, he selected a favorable site below the junction of the Swan with the Mississippi (the spot has been clearly identified), where he built, in the course of a week, two blockhouses, and in them bestowed his baggage and provisions. Here he remained till December 10, occupied with hunting, chopping out "peroques," and building bobsleds. It took thirty-four days to reach Sandy Lake, where the party met with generous hospitality at the post of the Northwest Company. A week was passed here in which the men replaced their sleds with the *traineaux de glace*, or toboggans, used by the voyageurs. On February 1 the leader, marching in advance, reached the establishment of the Northwest Company on the western margin of Leech Lake, and highly relished a "good dish of coffee, biscuit, butter, and cheese for supper." Pike had now accomplished his voyage by reaching the main source of the Mississippi. Seventeen days were passed here, including three devoted to an excursion on snowshoes to Cass Lake, then known as Upper Red Cedar Lake. He now believed himself to have reached the "upper source of the Mississippi," but wasted not a word of rhetoric on the achievement. While resting at Leech Lake Lieu-

tenant Pike wrote out for the eye of Mr. Hugh McGillis, director of the Fond du Lac department of the Northwest Company, there present, a formal demand that he should smuggle no more British goods into the country, haul down the British flag at all his posts, give no more flags or medals to Indians, and hold no political intercourse with them. Mr. McGillis in a communication equally formal promised to do all those things. Pike estimated that the government was losing some \$26,000 a year of unpaid customs. The two functionaries parted with mutual expressions of regard, and the genial lieutenant started off home with a cariole and dog team worth \$200 presented by the gracious factor. Before his departure, however, he had his riflemen shoot down the English jack flying over the post. The return journey, ending April 30, 1806, cannot be followed. On the 10th of the month the expedition passed around the Falls of St. Anthony, and the journal records, "The appearance of the Falls was much more tremendous than when we ascended." The ice was floating all day. The leader congratulated himself on having accomplished every wish, without the loss of a man. "Ours was the first canoe," he says, "that ever crossed this portage." In that belief he was content. Pike's journal was not published till 1810, and it included his account of an expedition to the sources of the Arkansas, and an enforced tour in New Spain. It had but slight effect on the author-

ities at Washington, and still less on the public. The War of 1812 was brewing and there was little concern about this remote wilderness. The effect of Pike's dramatic incursion, and his fine speeches to the Sioux and Chippeways soon wore off, the British flag went up over the old trading posts of Minnesota and Wisconsin, and the Northwest Company resumed its accustomed control over the Indians. It is not likely that many of their goods paid the duties at Mackinaw. When the war broke out the British-American authorities used all needful means in the way of presents and promises to hold the attachment of the nations. Some of the principal agents of the Northwest Company were actually commissioned in the British service and collected considerable bodies of Indians and half-breeds for the western operations. The news of the end of the war was slow in reaching these allies, and it was not till May 24, 1815, that the British captain commanding at Prairie du Chien, having received his orders, hauled down his flag and marched away with his garrison for Green Bay and Montreal. The treaty of Ghent had been concluded eight months and some days before. A serious proposition made by the British plenipotentiaries for negotiating that treaty proves that the British had cherished the hope that they might retain the great Northwest under their virtual dominion. The proposition was that the two powers should agree that the territory north and west of

the "Greenville line of 1796," roughly a zigzag from Cleveland to Cincinnati, should remain as a permanent barrier between their boundaries. Both parties were to be prohibited from buying land of the Indians, who were thus to be left in actual occupation. The British would continue to control their trade and hold their accustomed allegiance. The American commissioners refused of course to entertain the proposal.



## CHAPTER IV

### FORT SNELLING ESTABLISHED

READERS of Irving's "Astoria" know how a young German, coming to America in the last year of the Revolution, by accident learned of the possible profits to be won in the fur-trade, and how he presently embarked in it. In the course of twenty-five years he made a million dollars, a colossal private fortune for that day. In 1809 he obtained from the New York legislature a charter, and organized the American Fur Company. The war suspended the development of its plans. In 1816 Mr. John Jacob Astor had little difficulty in securing an act of Congress restricting Indian trade to American citizens. This patriotic statute was intended to put the Northwest Company out of business on American territory. It did, and that company sold out to Mr. Astor all its posts and outfits south of the Canadian boundary at prices satisfactory to the purchaser. In 1821 the Northwest Company was merged into the Hudson's Bay Company.

The American Fur Company adopted the policy of filling its leading positions with young Americans of good education and enterprise, and taking over the old engagés and voyageurs, inured to the

service and useless for any other. These old campaigners easily won over the Indians to the new company and taught them to look to a Great Father at Washington. The chief western stations for the trade of the upper Mississippi were Mackinaw and Prairie du Chien. There was now an "interest" which desired the development of the upper country; and it lost no time in moving on the government. In the year last mentioned (1816) four companies of United States infantry were sent to Prairie du Chien, where they at once built Fort Crawford. In the next year, Pike's reports having apparently been forgotten, Major Stephen H. Long of the Engineers traveled to Fort Snelling and in his report gave a conditional approval to Pike's selection of a site for a fort; but it was not till the winter of 1819 that the government was moved to establish a military post at the junction of the St. Peter's with the Mississippi. Lieutenant-Colonel Henry Leavenworth was ordered February 10 to proceed from Detroit, Michigan, to that point with a detachment of the Fifth Infantry.

Taking the Fox-Wisconsin route, his party of eighty-two persons reached Prairie du Chien July 1. "Scarcely an hour" after his arrival this number was increased by the birth of Charlotte Quinsin (Clarke) Van Cleve, long known to all Minnesotians, whose life was not ended till 1907.

The command arrived at Mendota August 23 and was at once put to building the log houses of

a cantonment. The site was near the present ferry and the hamlet of Mendota, where a sharp eye may still note traces of foundations. In September a reinforcement of one hundred and twenty arrived. In the spring of 1820 the companies were put into camp above the fort, near the great spring known to all early settlers. It was named Camp Coldwater. In July the command passed to Colonel Joseph Snelling, who held it till near the time of his death in 1828. A daughter born in his family a short time after their arrival was the first white child born in Minnesota.

Colonel Snelling at once began the erection of a fort, which, however, was not ready for occupation till October, 1822. It was a wooden construction, for which the logs were cut on the Rum River. In 1821 a rude sawmill was built at "the Falls" which converted the logs into lumber. This was of course the first sawmill in Minnesota. Two years later a "run of buhrs" was put in, and a first flour mill established. Colonel Snelling named his work "Fort Saint Anthony," but in 1824, upon recommendation of Major-General Winfield Scott, after a visit to the place, that name was changed to "Fort Snelling," in recognition of the enterprise and efficiency of its builder.

The reader must not be allowed to fear that the government was trespassing on Indian ground when building Fort Snelling. Pike had bargained for the site in 1805, but the government for four-

teen years neither took possession nor tendered payment. The Senate on ratifying the treaty filled the blank in article II by inserting \$2000, and Congress in 1819 made an appropriation of that amount. In anticipation of the dispatch of a detachment of troops, Major Forsyth was ordered to transport \$2000 worth of goods to the Sioux country and deliver them in payment for the lands ceded to Pike. It chanced that his boats arrived at Prairie du Chien in time to make the further ascent of the river in company with the command of Colonel Leavenworth. The payment was happily managed. On his way up river Major Forsyth called at the villages of Wabashaw, Red Wing, and Little Crow, and gave each of those chiefs a present of blankets, tobacco, powder, or other goods. On arrival at destination similar presents were made to five other chiefs, whose villages were not distant. In each case the major records that he had to give a little whiskey. The United States could afford such generosity.

A period of thirty years intervened between the arrival of Colonel Leavenworth's battalion at Fort Snelling in 1819, and the establishment of the Territory of Minnesota. The events of the period are too slightly related to the subsequent history of the state to call for minute narration in the way of annals, and may preferably be grouped under a few heads for compendious treatment.

When Colonel Leavenworth was starting from

Detroit, Michigan, he was intrusted by the governor of the Territory of Michigan with blank commissions for appointive county officers for Crawford County, included in that territory. This duty was performed at Prairie du Chien, and justice was established in Minnesota East. That region had previously been successively within the jurisdiction of the Northwest, Indiana, Michigan, and Illinois territories. Minnesota West at the same time was part of Missouri Territory, and previous to 1812 had been in the Territory of Louisiana. There was, however, slight occasion for the exercise of civil or judicial functions in the upper Mississippi country.

The American Fur Company had succeeded not merely to the business of the "old Northwest Company," but to its quasi-political control. The chief factor at Mendota, and his subordinate traders at the more important trading places, exercised a control over the Indians and half-breeds which government officials, civil and military, vainly endeavored to win from them. The few whites in the region, aside from the garrison of the fort, were at the first traders' employees; later a handful of missionaries acceded, and still later an advance guard of settlers, mostly lumbermen and Selkirk refugees. The dominance of the fur company and its principal agents was in great part due, as already suggested, to a policy inherited from the Northwest Company of retaining in service the old

French and half-breed voyageurs, and filling the clerical and managing places with young Americans of ability and enterprise. Such men would have been leaders anywhere. The chief factor at Mendota was the great man of the Sioux country; his colleague at Fond du Lac held a like relation in the country of the Chippeways. They furnished their licensed traders with their outfits, assigned them their respective districts, served as their bankers, and exercised over them an interested supervision. The fidelity of these subordinates was such as to form them into an effective combination, which after a few futile attempts at competition gave the American Fur Company a complete monopoly.

The one name to be brought forward as representative of the American Fur Company, and what was good in it, is that of Henry Hastings Sibley, who came to Mendota in November, 1834, as partner and chief factor. He had been preceded by other traders of inferior rank and consideration. Although but twenty-three years of age, he had already served an apprenticeship of five years at Mackinaw, the western headquarters of the Fur Company. He was born in Detroit, Michigan, where his parents, having removed from Sutton, Massachusetts, had settled before the close of the eighteenth century. The father, Judge Solomon Sibley, was a notable character in Michigan for a long lifetime. The boy received a good "academy"



education, had two years of classical language study under private tuition, and pursued the study of law. This early training equipped him with a correct and graceful English style of expression, which in later life he was fond of practicing in manuscript of singular beauty. The boy's heart was in the wilderness and on the wave. Tall, handsome of face, and lithe of limb, he early became expert with the rifle, the bridle, and the oar. So fleet and tireless was he on foot that the Sioux named him Wa-zi-o-ma-ni, Walker-in-the-pines. His grave and ceremonious manner was well calculated to gain the respect of the Indians, fond as they were of etiquette. Within two years after his arrival at his post he built and occupied a large stone house at Mendota, in which, especially after his marriage a few years later, he maintained a generous and elegant hospitality. The building still stands in a dilapidated condition. For many years Mr. Sibley, as justice of the peace, exercised jurisdiction over a territory of imperial extent, and was believed by his simple-minded clients, the voyageurs, to hold the power of life and death. As the trusted adviser of the Indian agent and the military commander, he steered them past many a difficult emergency.

With the extension of the Indian trade under the protection of a military garrison, it was to be expected that an Indian agency would be established at a point so prominent and convenient as

Fort Snelling. As the first agent, Lieutenant Lawrence Taliaferro, of the Third United States Infantry, was personally selected by President Monroe. He was a member of a well-known Virginia family of Italian extraction, and had given evidence in the service of capacity and enterprise. His appointment was dated March 27, 1819. His age was twenty-five. For twenty years he held his position, at times against powerful opposition, ever a true friend of the Indian, a terror to illicit whiskey sellers, and never the tool of the American Fur Company.

It was the desire of the government to put an end to the ancient warfare between the two great tribes of Minnesota Indians. Pike in 1806 had induced some of their chiefs to smoke the calumet. In 1820 Governor Cass repeated the operation with the result of burning much good tobacco. Agent Taliaferro conceived a plan for keeping the peace between the Sioux and the Chippeways, which was to survey and stake out a partition line between their countries. In 1824, by permission of President Monroe, he took a delegation of Sioux, Chippeways, and Menominees to Washington, where an arrangement was made for a "grand convocation" of all the northwestern nations, to be held in the summer of 1825 at Prairie du Chien. That convocation was held, with many spectacular incidents, and a variety of adjustments were consummated. In particular it was agreed between

the Sioux and Chippeway nations that their lands should be separated by a line to be drawn and marked by the white man's science. That line, when tardily staked out ten years later, started from a point in the Red River of the North near Georgetown, passed east of Fergus Falls and west of Alexandria, crossed the Mississippi between St. Cloud and Sauk Rapids, and went on in a general southeast direction to the St. Croix, which it struck not far from Marine. The savages paid little respect to this air line, but went on with their accustomed raids. Within a year there was a bloody encounter in sight of the agent's office. A single example of these savage frays may be given to illustrate their recurrence in series.

In April, 1838, a party of Sioux hunting in the valley of the Chippeway River (of Minnesota) left a party of three lodges in camp near Benson, Swift County. Hole-in-the-day, the Chippeway chief from Gull River, with nine followers, came upon this camp, and professing himself peaceable was hospitably treated. In the night following he and his men rose silently, and upon a given signal shot eleven of the Sioux to death. One woman and a wounded boy escaped.

In August of the same year Hole-in-the-day, with a small party, was at Fort Snelling. His arrival becoming known to neighboring Sioux, two or three relatives of the victims of the April slaughter waylaid him near the Baker trading-

house, and opened fire. Hole-in-the-day escaped, but the warrior with whom he had changed clothes was killed.

In June of the following year a large party of Chippeways from the upper Mississippi, from Mille Lacs and the St. Croix valley, assembled at Fort Snelling. For some days they were feasted and entertained by the resident Sioux, and agent Taliaferro got them started homewards. Two Chippeway warriors, related to the tribesmen killed by the Sioux the previous summer, remained behind, and went into hiding near the large Sioux village on Lake Calhoun. At daybreak, Nika (the badger), a warrior much respected, was shot in his tracks as he was going out to hunt, and the assassins made their escape. As the Sioux could easily surmise that they belonged to Hole-in-the-day's band, they decided not to retaliate on it, because they would be watched for. Two war-parties were immediately formed, the one to follow the Mille Lacs band, the other that from the St. Croix. It was lawful to retaliate on any Chippeways. The Mille Lacs Indians were overtaken in their bivouacs on the Rum River at daylight on July 4. Waiting until the hunters had gone forward, the Sioux fired on the women, children, and old men, and harvested some seventy scalps, but they lost more warriors in the action than the Chippeways. The war-dance of the exulting Sioux went on for a month on the site of Lakewood Cemetery in Minneapolis. Little Crow and

his Kaposia band gave their attention to the St. Croix Chippeways, who returned, as they had come, by canoe down the Mississippi and up the St. Croix. Little Crow marched overland and got into position at Stillwater, where he lay in ambush for the retreating foe, who he knew would bivouac on the low ground near the site of the Minnesota state prison. A daybreak assault killed twenty-five of the Chippeways, but they made so good a defense that the Sioux were glad to retire. The mortality in the so-called "battles" of Rum River and Stillwater was exceptionally great.

In the middle of the period now in view, a new influence, not heartily welcomed by the traders, came over the Minnesota Indians, — that of the missionaries, mostly Protestant. The first efforts at evangelization were made for the Chippeways and probably at the instance of Robert Stuart, the principal agent of the American Fur Company at Mackinaw, an ardent Scotch Presbyterian. In 1823 a boarding-school was opened at that place and flourished for some years. In 1830 a mission was opened at La Pointe, Wisconsin, on the spot occupied by the Jesuit fathers one hundred and fifty years before. From this place as a centre mission work was extended into Minnesota. In 1833 the Rev. W. T. Boutwell proceeded to Leech Lake, built a log cabin, and began work. The Rev. Frederick Ayer opened a school at Yellow Lake, on the Wisconsin side of the St. Croix, and the Rev. E. E.



Ely began teaching at Sandy Lake. Three years later all of these were removed for more concentrated, coöperative effort to Lake Pokegama in Pine County. This mission was carried on with much promise for five years, when it was interrupted by a descent of a large war-party of Sioux led by Little Crow. Among the killed were two young girls, pupils of the mission school. The Chippeways abandoned the place for homes farther from the danger line, and this mission came to an end. The Chippeways had their revenge a year later (1842), when they came down to the near neighborhood of St. Paul and got in the so-called battle of Kaposia the scalps of thirteen Sioux warriors, two women, and a child.

The missions to the Sioux were begun in the spring of 1834 by two young laymen from Connecticut, who appeared at Fort Snelling without credentials from any synod or conference, but with abundant faith and zeal. They were brothers, Samuel William and Godwin Hollister Pond, then twenty-six and twenty-four years of age respectively. Although they had entered the Indian country without leave or license, they secured at once the confidence of Agent Taliaferro and Major Bliss, commander of Fort Snelling. With their own hands they built a log cabin on the east shore of Lake Calhoun, on the edge of Cloudman's village. That chief selected the site. Established in this "comfortable home," they devoted themselves



to learning the Dakota language. Within a few weeks they adapted the Roman letters to that language with such skill that the "Pond alphabet" has with slight modification been ever since used in writing and printing it. A Dakota child can begin to read as soon as it has "learned its letters." The zealous brothers made the first collections for the dictionary, later enlarged by others, prepared a spelling-book, and formulated a rude grammar. Mr. Sibley, who came in the fall of the same year, became a warm friend of the Ponds.

The next missionary effort was by appointees of the American Board of Commissioners for Foreign Missions, best known by the short title "American Board." These were the Rev. Thomas S. Williamson, missionary and physician; the Rev. Jedediah D. Stevens, missionary; Alexander Huggins, farmer; their wives, and two lady teachers. These arrived at Fort Snelling in May, 1835. Mr. Stevens, who had made a tour of exploration in the country six years before, at once established himself on the northwest margin of Lake Harriet, now in the city of Minneapolis. He built two considerable log houses near the site of the street railroad station, in one of which he opened a school. The nucleus was a number of half-breed daughters of traders and military men, some of whom became highly respected Minnesota women. This school, however, was not the first in Minnesota, if the collection of Indian boys and men gathered by Major Taliaferro

on the east bank of Lake Calhoun in 1829, and put to learning the art and mystery of agriculture, may be called a school. Philander Prescott was the teacher, and his pupils numbered twelve; the next year he had one hundred and twenty-five "different scholars." Within a few days after the arrival of these missionaries a Presbyterian church was organized at Fort Snelling, June 11, the first in Minnesota, with the Rev. Mr. Stevens in charge.

The American Fur Company had an important stockaded post on Lac qui Parle in Chippeway County. The trader there was Joseph Renville, who had been captain in the British frontier service in the War of 1812. He had married a woman of the Sioux by Christian rite, and had a large family growing up. Although Catholic by birth and education, he invited Dr. Williamson to come and establish his mission near him, so that his children might be taught. The mission at Lac qui Parle was thus promptly opened. Dr. Williamson has recorded that this school, begun in his house in July, was the first in Minnesota outside of Fort Snelling. It was continued for many years by his sister, Miss Jane Williamson, who perhaps rendered more lasting service than any of the noble band to which she belonged. After some two years' study of the Dakota language Dr. Williamson set about what became his life work, the translation of the Holy Scriptures into that tongue. The Rev. Stephen Return Riggs joined the Lac qui Parle

mission in 1837, after having studied the Dakota under Samuel Pond. He soon became expert, prepared text-books for the schools, and later edited the Dakota dictionary and grammar, to which all the Sioux missionaries contributed. Mission work begun in 1837 at Kaposia (now South St. Paul) by Methodist preachers, and at Red Wing in 1839 by Swiss Presbyterian evangelists, however praiseworthy for intention, was too early abandoned to have permanent results. Equally transient was the ministration of the Catholic father Ravoux, at Lac qui Parle and Chaska, in 1842. The missions of the American Board to the Minnesota Sioux were maintained until that nation was removed to the Missouri in 1863. The results were sufficient to encourage persistence, in hope of future success, but the great body of the Indians was not affected. For a time this was due to suspicion on the part of the Indians of the sincerity of the missionaries. They could understand the soldier and the trader, but the missionary was a puzzle. He had nothing to sell, he asked no pay for teaching the children, caring for the sick, or preaching the word. Why he should teach a religion of brotherhood, and still keep to himself his household stuff, his little store of food, and his domestic animals, was beyond the comprehension of savages accustomed to communistic life. A greater obstacle lay in the fact that the missionary had first to break down faith in an ancient religion, and the dominance of a body

of medicine-men who maintained their cult by a ceremonial interwoven with the whole life and habits of the people. Not less obstructive was the example of most white men known to the Indians, — greedy, dissolute, and licentious.

## CHAPTER V

### EXPLORATIONS AND SETTLEMENTS

TO discover the true source of any of the great rivers of the world, that is, that one of all sources which measured along the axis of its channel is farthest from its mouth, has ever been an alluring problem to the exploring geographer. David Thompson, geographer of the Northwest Company, in the course of a journey of exploration lasting a year and extending to the Missouri River, on April 23, 1798, reached Turtle Lake, four miles north of Lake Bemidji, and believed himself the discoverer of the true source of the Mississippi. Lieutenant Pike was confident that when on the 12th day of February, 1806, he reached the upper Red Cedar (Cass) Lake he was at the "upper source of the Mississippi." These claims were either not known or not trusted, and a series of expeditions to reach the "true source" of the Mississippi was begun, soon after the military occupation in 1819. Lewis Cass, known best in American history by his national employments as senator, cabinet officer, and foreign minister, had cut such a figure as colonel of an Ohio regiment and brigadier-general in the War of 1812 that the President made him

governor of the Territory of Michigan; an office which he held for seventeen years. That territory in 1819 was extended to the Mississippi River. Its governor was naturally curious to see something of this immense addition to his jurisdiction and the great river forming its western bound. He sought and obtained leave to conduct an expedition. An engineer officer, Captain Douglass, was ordered to join it; and Governor Cass employed Henry R. Schoolcraft, of whom we are to hear later, as mineralogist at one dollar and a half a day. Leaving Detroit late in May, 1820, with ten Indians and seven soldiers, in three birch-bark canoes, Cass was at the American Fur Company's post at Fond du Lac (of Superior) on the 6th of July. He ascended the St. Louis River and took the Savanna portage to Sandy Lake. With a reduced party he pushed up stream through Lake Winnebigoishish to that upper Red Cedar Lake which Pike had seen fourteen years before. Assured that this was the true source of the Mississippi, he ended his journey. Mr. Schoolcraft doubted, but he was too polite to differ openly with his chief. Captain Douglass on his map gave the lake the name "Cassina," which, shorn of two superfluous syllables, has remained in use. Mr. Schoolcraft wrote a narrative of the expedition which is very pleasant reading. The return journey, beginning July 22, was down the Mississippi to Prairie du Chien and thence to Green Bay by the Fox-Wis-



consin portage. At Fort Snelling the party were feasted with fresh vegetables from the post garden. At the Sioux agency, then on the Mendota side of the Minnesota, some chiefs of the Sioux and Chippeways were got together in council and a reluctant consent was obtained to cease from troubling one another. The high contracting parties were content to gratify the white man, but they understood the farcical nature of the convention. Governor Cass reported the cost of the expedition at \$6156.40 $\frac{1}{4}$ .

It seems proper to interpolate here some account of the expedition conducted by Major Stephen H. Long of the topographical engineers of the army, in 1823, to the valleys of the Minnesota and Red rivers. Six years before, that officer had made an uneventful journey to St. Anthony's Falls, of which he left a graphic and appreciative description. His party, escorted by a detail of soldiers, left Fort Snelling on July 9 with Joseph Renville as interpreter and guide. At Traverse des Sioux, Long abandoned his canoes and set out overland by the well-worn trail for Lake Traverse, where he was welcomed at the headquarters of the Columbia Fur Company. On August 2 Long reached Pembina, where he established a monument to mark a point astronomically determined in the international boundary. His instructions had been to strike east from Pembina and trace the boundary to the Lake of the Woods. This he found to be

impracticable. Putting his people into bark canoes, he descended the Red River past Fort Garry to Lake Winnipeg, traversed the south arm of that water, and ascended the Winnipeg River to Rat Portage on the Lake of the Woods.

The homeward journey by the old Dawson route to Lake Superior, along the north shore to the Sault Sainte Marie and thence by the lower lakes and the Erie Canal, was rapidly made without notable incident. Professor William H. Keating of the University of Pennsylvania, who was geologist of the expedition, published a narrative abounding in varied and interesting knowledge. It will ever remain indispensable to the historian of the period and region.

Major Long had been accompanied from Fort Snelling to Pembina by an Italian gentleman of a romantic and enterprising nature, Giacomo Constantino Beltrami by name. Little is known of his early life beyond the facts that he had held military and civil appointments, and had, for reasons not revealed, found it desirable to absent himself from Italy. He came to America full of zeal to be the discoverer of the true source of the Mississippi, and thus place himself in the company of great Italian explorers. Agent Taliaferro came upon him in Pittsburg and offered to further his ambition. They reached Fort Snelling on the 10th of May, 1823, by the steamboat Virginia, the first steam vessel to reach that post. The crowd of won-

dering Indians gathered on the levee were sufficiently impressed by the bulk of the white man's fire canoe; but the scream of her steam whistle, opportunely let out, sent them scampering far off on the prairie.

When Beltrami at Pembina found Major Long pointing his canoes down the Red River, he detached himself, and with a slender outfit and uncertain guides struck out to the southeast, where he expected to find the object of his journey. After a few days of hardship he reached the south shore of Red Lake, and there he found a "bois-brulé" who guided him up a tributary then called Bloody River. It is marked "Mud Creek" on modern maps. A short portage brought him to a small, heart-shaped lake, to which he gave the name "Lake Julia," in memory of a deceased friend. Here on the 28th of August he reports himself as resting at the most southern source of the Red River and the most northern source of the Mississippi. He found no visible outlet to his lakelet and fancied that its seepage was indifferently the true source of the two rivers. His dream fulfilled and his ambition satisfied, he made all possible haste to Fort Snelling. He proceeded to New Orleans and in the next year (1824) published in French his "Discovery of the Sources of the Mississippi." An English version appeared under the title "A Pilgrimage in Europe and America." Lake Julia is still on the map, lying some two miles north of

Turtle Lake, which David Thompson had charted twenty-five years before. The Minnesota geologists found no connection between it and Mississippi waters. It is noteworthy that Beltrami placed on his map a "Lac la Biche" as the "western source of the Mississippi," which later explorers identified as approximately the true source. This knowledge he may have obtained from the intelligent guide, whom he praises highly, but whose name he neglected to report.

It has been mentioned that Henry R. Schoolcraft, mineralogist of Cass's expedition in 1820, was by no means satisfied that Cass Lake was the true source of the great river. Appointed Indian agent of the Chippeways, he resided for many years at the Sault Sainte Marie, longing for another plunge into the wilderness of the upper Mississippi. It was not until 1832 that the War Department, deferring to Governor Cass, was content to give him leave, and then by indirection only. The instructions given Mr. Schoolcraft were to proceed to the country at the head of the Mississippi, to visit as many Indians as circumstances might permit, to establish permanent peace among them, to look after the Indian trade and in particular the trespasses of Hudson's Bay traders, to vaccinate Indians as many as possible, and to gather statistics. He had no commission to explore. An officer of the army, Lieutenant James Allen, with a small detachment of soldiers, was ordered to be

his escort. Traveling by way of Fond du Lac and the Savanna portage, Schoolcraft's party was at Cass Lake on July 10. The same day his guide Ozawindib (the Yellowhead) collected five small canoes and made all needful preparations for the further journey, which began the morning after. The Yellowhead led the party up to and across Lake Bemidji, and from its southern limb up an east fork now mapped as the Yellowhead River, to a lakelet at its head. A six-mile portage to the west brought Schoolcraft, about two o'clock P. M., on the 13th of July, to a body of transparent water, which his guide assured him was the true source. In expectation of that moment the ardent explorer had cogitated on a suitable name. The missionary Boutwell, already mentioned, was a member of his party, having joined it to spy out the land for evangelical work. When asked by Mr. Schoolcraft the Latin for "true source," the reverend gentleman could only remember that the Latin for truth was *veritas*, and for head *caput*; and he obligingly wrote the two words on a slip of paper. The leader cut off the head of the former and the tail of the latter, and joining the remaining syllables made the word "Itasca," as beautiful an Indian name as could be desired. On the island, bearing still his name, Mr. Schoolcraft erected a flagstaff and flew the American colors. Lieutenant Allen in his report uses the French name Lac la Biche, the same communicated to Beltrami. How much atten-



tion the explorer gave to gathering statistics, vaccinating Indians, pacifying the Indians, and the like, may be inferred from the promptness with which he set out for home the very same day, and the speed of his journey. Taking an unused canoe route via Leech Lake and the headwaters of the Crow Wing, he was at Fort Snelling on the 24th of July. Leaving his escort, without a guide he hastened with all possible celerity by the St. Croix-Brulé route to "the Sault." In his report to the War Department, dated December 3, 1832, he makes not the slightest reference to his excursion from Cass Lake to Itasca. His published narrative, however, shows no such gap. He had no orders to discover anything.

What fortune or misfortune brought the French astronomer, Jos. N. Nicollet, to this country early in the thirties is not well known. Like Beltrami, he had the fever for exploration and discovery. In the midsummer of 1836 this gentleman went from Fort Snelling up to Leech Lake, where he was sheltered by the missionary Boutwell. Here he found guides who took him by a new route out of the west arm of Leech Lake to Lake Itasca at the point reached by Schoolcraft. He made camp on Schoolcraft's Island and proceeded to take its latitude, longitude, and height above sea. So far he was merely confirming the work of Schoolcraft and Allen. Selecting the largest of three tributary inlets, he traced it three miles through two lakelets



to a third, from which he found "the infant Mississippi flowing with a breadth of a foot and a half, and a depth of one foot." In the years 1889 and 1891 J. V. Brower, commissioned by the Minnesota Historical Society and the governor of Minnesota, devoted many months to a careful examination of the region above (south of) Itasca Lake. The result was the confirmation of Nicollet's work, with a further discovery of an "ultimate bowl" in the highlands (*Hauteurs des Terres*) from which Nicollet's lakes were fed. And then the long quest came to an end.

The first white settlers in Minnesota, or rather squatters, for the region was not open to settlement for nearly twenty years after the military occupation, came from an unexpected quarter. A Scotch nobleman, the Earl of Selkirk, of a romantic turn, formed a scheme for relieving congested European districts by planting colonies abroad, and in Canada preferably to the United States. He bought of the Hudson's Bay Company a tract of something over 100,000 square miles, south and west of Lake Winnipeg, and in 1812 sent over a small party of Highlanders and a few Irish. Later additions were made to the colony, among them two hundred Scotch in 1815. What with the persecutions of the *bois-brulés*, of the Northwest Company, the destruction of crops by rats, grasshoppers, early frosts, and high water, the colonists led a stormy

and precarious life for some years ; but they survived. In 1821 came a party of one hundred and fifty or more Swiss clockmakers, wiled from their homes by the seductive allurements of an ingenious agent.

When the deluded people reached Fort Douglass and Pembina they found things far different from their expectations. Five families at once took the trail for the American fort. Two years later thirteen more families followed. In 1826, after a devouring flood in the Red River, two hundred and forty-three persons, Swiss and others, left Pembina for the south. In following years the migration continued, and by 1836 nearly five hundred had come over the border. The greater number of them journeyed on to the French settlements down the river in Illinois and Missouri, but many preferred to tarry on the Fort Snelling reservation. The military gave them protection, allowed them to pasture their cattle and cut grass on the bottoms, and to fence in and cultivate considerable farms.

The reports of the military, the open secrets of the American Fur Company, the revelations of explorers, and later the correspondence of missionaries, at length made the upper Mississippi valley known as a land of promise. Travelers from Fort Snelling to "the head of the lake" by the old St. Croix canoe route had disclosed the existence of magnificent bodies of pine timber. A market for pine lumber had been opened about the Galena

and Dubuque lead mines and the prairie regions abutting on the river. The voracious lumbermen of Wisconsin, mostly emigrants from Maine, were fierce to get their axes into this pine. As early as 1822 a sawmill had been built on the Chippeway River near Menominee, and the stumpage bought of Wabashaw, chief of the lower Sioux, for one thousand dollars a year in goods. But there was no white man's country in Minnesota, except the Fort Snelling tract bought by Pike in 1805 and paid for in 1819, and that was not open to settlement, unless by tolerance of the military. The time came for extending the area of settlement and cultivation, and that was effected by two Indian treaties made in 1837. By a treaty with the lower Sioux the United States acquired all their lands east of the Mississippi up to the Sioux-Chippeway partition line of 1825. The consideration was a half million dollars; but two hundred thousand dollars went to the traders and half-breeds in nearly equal sums. That was the price paid by the government for the use of their influence with the Indians. The Chippeways sold east of the Mississippi from the partition line up to the line running a little north of east from the mouth of the Crow Wing River. The delta between the Mississippi and the St. Croix up to the Crow Wing line was thus opened to settlement on the ratification of the treaties, on June 15, 1838. When the tidings of the ratification reached Fort Snelling a month later, the grass

did not grow under the feet of waiting citizens, who had made notes of good locations. A claim abutting on the Falls of St. Anthony, on the east bank, was staked out before daylight of the following morning, and the falls of the St. Croix were pre-empted before sunset, all in accordance with law and custom.

The first collection of people in Minnesota, aside from the garrison of Fort Snelling, was the little hamlet of Mendota, inhabited by French, half-breeds, and their Indian wives and children. At times its numbers were swelled by traders from outposts coming in to headquarters to bring their furs and obtain supplies. Mendota is a French hamlet to-day. The first American settlement was made at Marine, on the St. Croix, early in 1839, where a saw-mill was put into operation August 24. In the year following, on a claim previously made, Joseph R. Brown laid out the town site of Dakotah on land now forming a part of Stillwater. This city was not laid out till 1843, when settlement was begun in full confidence that Stillwater was to be the great city of the region. Its progress for a few years seemed to justify that expectation. Later many of its people migrated to the new towns on the Mississippi. In the year of the treaties (1837) the officer commanding at Fort Snelling had a survey made, to carve out of the Pike tract of nine by eighteen miles the land to be held by the government for military use. The bounds included prac-

tically all of Reserve Township of Ramsay County, the east line passing through the "Seven Corners" of St. Paul. Because of growing scarcity of timber, and alleged trespasses of the squatters, Major Plympton in the spring of 1838 ordered all those settled on the main reserve west of the Mississippi to move over to the east side. A very few had sufficient foresight to place themselves beyond the military lines,—among them one Pierre Parrant, a Canadian voyageur, who, not waiting for the ratification, built a whiskey shanty near the issue of the streamlet from Fountain Cave, in upper St. Paul, thus becoming the first inhabitant of that city. The evicted Swiss mostly settled on ground within easy reach of the fort, and there built their cabins anew. They were, however, not long allowed that indulgence. Their number was reinforced by a few voyageurs, discharged soldiers, and perhaps some other whites. Among the whites were a few who opened grog-shops at which the custom of the soldiers was very welcome. These places became so intolerable that the commandant begged the War Department to require all squatters to get off the reservation. His recommendation was adopted, and on the 6th of May, 1840, a deputy United States marshal, supported by a detachment of soldiers, drove them all over the lines and destroyed their cabins. What did they do but reëstablish themselves just beyond the line, about Parrant's claim? French fashion, they grouped their cabins and



formed a little French village, the nucleus of the capital city of Minnesota. A memorial of the evicted Swiss to Congress for indemnity for loss of improvements on land they had been suffered to occupy and cultivate, and for the destruction of their shelters, was ignored.

At all the trading stations of the American Fur Company there was a group of employees and hangers-on. At Mendota, the headquarters, the number was greater than elsewhere. In 1837 there were twenty-five such. When in July, 1839, Bishop Loras of Dubuque made a visitation there, he found one hundred and eighty-five Catholics gathered in to approach the sacraments of the church. In May of the following year the Rev. Lucius Galtier, sent up on an hour's notice from Dubuque, reached Mendota to begin a mission there. He naturally took under his care the Catholic families just then getting themselves under cover on the hillsides nearly opposite. November 1, 1841, he blessed a little log chapel the people had built under his direction, and dedicated "the new basilica" to St. Paul, "the apostle of the nations." The name "St. Paul's landing," for a time used, gave way to the more convenient St. Paul's and, later, to "St. Paul." Père Galtier, however, remained at the more considerable Mendota till called to other duty in 1844. Father Ravoux, succeeding him, divided his time between the two hamlets till 1849.

Up to 1845 St. Paul was a straggling French



village of some thirty families, a floating population of voyageurs and workmen, to which two or three independent traders had joined themselves. In the next years Americans arrived in increasing numbers. In 1846 a post-office was established, and in the year after a regular line of steamboats began to ply down river in the season.

The city at the falls was later in getting its start. The lucky citizen who preëmpted the land abreast of the falls on the left bank of the Mississippi did not lay out his town site of St. Anthony's Falls till late in 1847. A sawmill built that year went into operation the next, and the manufacture of lumber has since remained a leading industry. At Pembina, in the extreme northwest corner of Minnesota, was an aggregation of French half-breeds of some hundreds. The rural population of the whole region well into the fifties was very sparse. A few farms had been opened along the St. Croix in Washington County. The principal part of the subsistence for man and beast was brought up from below in steamboats.

When Iowa Territory was organized in 1838, Wisconsin Territory was restricted on the west to the line of the Mississippi. Minnesota East then formed part of Crawford County of the latter territory. In the same year the governor of Wisconsin appointed as justice of the peace for that county a man who was to play a conspicuous part in Minnesota affairs. Joseph Renshaw Brown came

to Minnesota as a drummer-boy of fourteen with the Fifth Infantry in 1819. Honorably discharged from that command some six or seven years later, he went into the Indian trade at different posts, at some of which he opened farms. He appreciated, as perhaps no other man in the region did so clearly, the possibilities of the future, and was fitted by nature, education, and experience to lead. In 1840 he was elected a member of the Wisconsin territorial legislature from St. Croix County, a new jurisdiction separated from Crawford County by a meridian through the mouth of the Porcupine River, a small affluent of Lake Pepin. The county seat was of course Mr. Brown's town of Dakotah, already mentioned. There is reason to surmise a disappointed expectation that this town might become the capital of a state. In 1836 Congress passed an enabling act in the usual form for the promotion of Wisconsin to statehood. About the same time the Wisconsin delegate introduced a bill to establish the Territory of Minnesota. It was understood that Mr. Sibley would be the first governor and that Mr. Brown would not be neglected. The bill passed the House and reached its third reading in the Senate, when it was tabled on the suggestion of an eastern senator that the population was far too scanty to warrant a territorial organization.

## CHAPTER VI

### THE TERRITORY ORGANIZED

ON May 29, 1848, Wisconsin was admitted to the Union as a state, with her western boundary fixed where it has since remained, on the St. Croix River line, Congress having refused to extend Wisconsin's area to the Rum River line. The delta between the St. Croix and the Mississippi was politically left in the air. In the earlier correspondence and personal conferences of Minnesotians the only thought was of obtaining from Congress the establishment of a new territory. On August 4 a call signed by eighteen prominent residents of the wished-for territory was issued, for a convention to be held at Stillwater on the 26th. Sixty-one delegates appeared and took part in what has since been known as "the Stillwater Convention" of 1848. The proceedings resulted in two memorials, one to the President, the other to Congress, both praying for the organization of a new territory; in corresponding resolutions; in the raising of a committee to prosecute the purposes of the convention; and in the election of Henry H. Sibley as a "delegate" to proceed to Washington and urge immediate action.

The late governor of Wisconsin Territory, Hon.

Henry Dodge, had been elected United States senator. The secretary of the territory had been Mr. John Catlin. A letter written by him August 22 was read before the Stillwater convention. It embodied the suggestion that the Territory of Wisconsin might be considered as surviving in the excluded area. He transmitted a letter from James Buchanan, Secretary of State, expressing the opinion that the laws of Wisconsin Territory were still in force therein, and that judges of probate, sheriffs, justices of the peace, and constables might lawfully exercise their offices. Such being the case, what was there to hinder him, Mr. Catlin, from assuming the position of acting-governor of Wisconsin Territory, and performing the proper duties? In particular, why might he not appoint an election for the choice of a delegate to Congress in a regular manner, if a vacancy should occur? His judgment was that a delegate elected "under color of law" would not be denied a seat. This scheme, which seems to have made no impression on the Stillwater convention, was rapidly incubated after its dispersion. Mr. Catlin took up a constructive residence at Stillwater. John H. Tweedy, delegate from Wisconsin Territory to the Thirtieth Congress, obligingly put in his resignation. Thereupon Acting-Governor Catlin issued a call for an election of a delegate to be held on the 30th of October. The result was the choice of Mr. Sibley against a slight and ineffective opposition.

The delegate-elect presented himself at the door of the national House of Representatives at the opening of the second session of the Thirtieth Congress. His credentials had the usual reference to the committee on elections. Mr. Sibley's argument was ingenious and exhaustive, and it proved effective, for the committee absorbed its substance into their favorable report. On January 15, 1849, the House by a vote of 124 to 62 accorded Mr. Sibley his seat as delegate from Wisconsin. The same House refused, however, to make any appropriation for the expenses of a territory existing by virtue of mere geographical exclusion. A bill for the establishment of the Territory of Minnesota had been introduced into the Senate in the previous session. It was identical with that which had been strangled on the last day of the Twenty-ninth Congress. Mr. Sibley properly devoted himself to advancing the progress of the bill. It was promptly passed by the Senate, but it lagged in the House. The Whig majority had no consuming desire to favor a beginning likely to result in a Democratic delegation from a new state. They therefore clapped on an amendment, to which the Senate could not possibly agree, that the act should take effect March 10, six days after the expiry of President Polk's term of office. The end of the session was but four days away. A House bill for the establishment of a Department of the Interior was still pending in the Senate. It provided for a goodly number of officials to be

named by the incoming Whig President. Senator Douglas, acting for colleagues, authorized Mr. Sibley to give out to his Whig opponents that the Senate would be better disposed to passing their interior department measure if they should find it agreeable to recede from their offensive amendment to the Minnesota bill. On the last day of the session Mr. Sibley had the pleasure of seeing his bill pass, under suspension of the rules, without opposition. No one was so much surprised at the outcome as Mr. Sibley himself. It took thirty-seven days for the good news to reach St. Paul by the first steamer of the season from below. The boundaries of the new territory were those of the state later admitted, except that the west line was pushed out to the Missouri River, thus including an area of some 166,000 square miles. The governorship fell to Alexander Ramsey of Pennsylvania, then thirty-four years of age, who deserved well of his party in its late campaign and had done some excellent service as a member of the Twenty-eighth and Twenty-ninth Congresses. He had been well educated in the best school, that of a life of industry and aspiration. Clear-headed, cautious, patient, he knew how to anticipate the courses of things and to plan for the probabilities of the future. He identified himself from the first with his new territory, and remained to the end of his long life, in 1903, a steadfast, loyal Minnesotan.

On May 27, in a small bedroom in Bass's log



tavern on the site of the Merchant's Hotel in St. Paul, Mr. Ramsey wrote out on a little unpainted washstand his proclamation declaring the territory duly established. On June 11 he announced the division of his immense jurisdiction into three provisional counties, assigning to each one of the three judges, Goodrich, Sherburne, and Meeker, who had been appointed by the President. At the same time he directed the sheriff of St. Croix County to make a census of the population. The reported total did not measure up to the conjectures of hopeful citizens. After counting the 317 soldiers at "the Fort," all the attachés of the trading posts, 637 dwellers at Pembina and 66 on the Missouri River, the footing stood at 4780 souls.

Pursuant to the organic act Governor Ramsey by proclamation of July 7 divided the territory into seven council districts, and ordered an election for August 1. The first territorial legislature that day elected, consisting of nine councilors and eighteen representatives, met at St. Paul, September 4. The organic act having provided that the laws in force in the late Territory of Wisconsin should remain in operation until altered or repealed by the Minnesota territorial legislature, this inexperienced body was not heavily burdened. The most notable enactment was that for the establishment of a system of free schools for all children and youth of the territory, introduced by Martin McLeod, but probably drawn up by the Rev. Edward Duffield

Neill, the well-known historian of Minnesota. A bill passed October 20, incorporating the Minnesota Historical Society, was doubtless from the same hand. Governor Ramsey's message of 1849 was much extended by an account of the Indian tribes of the territory, prepared for him by Dr. Thomas Foster.

There was no legislative session in 1850. The statutes of 1851 embrace but few of notable importance. After a long and bitter struggle the capital, temporarily placed by the organic act at St. Paul, was permanently located in that town. To secure the majority vote it was necessary to concede to Stillwater the state prison and to St. Anthony the university. The evidence of a formal "tripartite agreement" to this arrangement is lacking, but it is probable that an understanding or expectation influenced the voting. The diligence with which a body composed largely of fur-traders and lumbermen overhauled a revision of the territorial laws, prepared by a committee of lawyers, bears testimony to a zeal for duty. The result was the well-known "Code of 1851." It embodied substantially the New York code of procedure. The general incorporation law did not include railroad corporations. An act of 1852 prohibiting the manufacture and sale of intoxicating liquors was submitted to a vote of the electors and ratified by a vote of 853 to 662. Before the year was out the supreme court of the territory, on an appeal from

below, ruled the act to be unconstitutional on the ground that the organic law having vested all legislative power in the legislative bodies, the referendum was inoperative. In 1853 equity procedure was conformed to that of civil actions.

The dominating feature of Governor Ramsey's territorial governorship was the extinguishment of the Indian title of occupancy to all the lands of the Sioux in Minnesota, except the small reservations. No time was lost by interested parties in impressing on Mr. Ramsey the importance of increasing the area of settlement in his territory. Land speculators and lumbermen desired an enlargement of their spheres of operation. The Indian traders, who in previous years would have opposed a treaty of cession, were at this time, under changed circumstances, eager. The hunting of wild animals for their pelts had greatly reduced their numbers, so that the trade had dwindled. The prospect of profits in land speculation appeared likely to exceed those of Indian trading. The traders also were of opinion that it was about time for a substantial liquidation of Indian debts due them. The half-breeds and squaw men had, as we shall see, a strong desire for a treaty. Moved by what seemed a general demand, Governor Ramsay recommended to the first territorial legislature that they memorialize Congress to provide for a treaty of cession with the Sioux. That body promptly complied. The com-

missioner of Indian affairs had meantime been interested to such a degree that he arranged for a treaty, and to pay the expenses out of funds already at his disposal. He appointed as commissioners to conduct the negotiation Governor Ramsey, being already superintendent *ex-officio* of Indian affairs in his territory, and the Hon. John Chambers of Iowa, and furnished them a body of instructions, which served more than the immediate purpose. He restricted their expenditure for presents to \$6000. The Sioux were summoned by runners to come in to council in October. The commissioner of Indian affairs was precipitate. The traders were not quite ready, and there were prominent citizens in St. Paul who feared that a big cession of Indian lands west of the river might give Mendota a dangerous precedence. But few of the Sioux came in, and they were unwilling to treat. The effort aborted. Its success might have secured for Governor Ramsey political rewards for which he had to wait. The Indian appropriation bill of 1850, carrying \$15,000 for the expenses of treating, was not approved till September 30. The season was too late for the assemblage of the Indians, widely scattered on their fall hunts. Then ensued a contention, lasting many months, over the appointment of a colleague to Governor Ramsey for the negotiation of the treaty. At one time it appeared that a trading interest adverse to the American Fur Company had virtually succeeded in securing the appoint-

ment of a gentleman from Indiana on whom it could depend. To dispose of this and other aspirants, an amendment was tacked on to the proper paragraph of the Indian appropriation bill of the session, providing that commissioners making Indian treaties should thereafter be selected from officials of the Indian Bureau, to serve without extra compensation. The contemplated treaty with the Sioux involving a cession of many millions of acres and large disbursements for a long time, the commissioner of Indian affairs, the Hon. Luke Lea of Mississippi, resolved to act in person.

The Minnesota Sioux comprised four of the seven tribes of the nation, and were themselves geographically divided into "upper" and "lower" Sioux. The two upper tribes were the Sissetons and Wahpétons. The former had their villages on lakes Big Stone and Traverse, the latter on the upper reaches of the Minnesota River, with some sandwiching of bands. The lower Sioux were the Medawakantons and the Wah-pé-ku-tes: the villages of the former were strung along the west bank of the Mississippi from Winona to Fort Snelling and on up the Minnesota to Belle Plaine. The Wah-pé-ku-tes dwelt on the headwaters of the Cannon River, in what Nicollet called his "Undine region." As they were averse, like all barbarians, to having their numbers counted, the Indian Bureau up to the time when all became "annuity Indians" could only guess at the population. Eight thousand was the general

estimate at the middle of the century. Each tribe was subdivided into bands of unequal numbers, each under its own chief. The bands of each tribe recognized one of the older and most capable chiefs as their head chief. Wabashaw was head chief of the Medawakantons. The instructions of 1849, already mentioned, charged the commissioners to make but one treaty, advised them to promise no money payments, and forbade them to provide for debts due by Indians to the traders. The reader can surmise why no Indians came to treat.

The new commissioner of Indian affairs did not of course have to instruct himself, and he appears to have relaxed the conditions imposed by his predecessor. At any rate, he soon found out that if he wished to make a treaty it would be necessary for him to pay some money, and to arrange for the payment of traders' claims. Because of a diversity of these claims against the upper and the lower Sioux it was desired that separate treaties be made. This was conceded. Because the upper tribes were thought to be less opposed to a treaty and a cession, it was decided to begin with them; and those Indians were summoned to council on July 1 at Traverse des Sioux. The commissioners and their party found on their arrival none but those there resident. It was not till the 18th that enough of the upper bands had come in to warrant negotiation. Meantime the disinclination of the Indians had been mitigated by the rations of pork, beef, and flour



dispensed by the commissary, and presents to reluctant chiefs. On July 23 the treaty was signed in duplicate. As the chiefs left the table they were "pulled by the blanket" and steered to another, where they touched the pen to a third document, which later became notorious under the name of "the traders' paper." The upper Sioux by this treaty sold to the United States all their lands in Minnesota for \$1,665,000, except a reservation twenty miles wide straddling the Minnesota River, from Lake Traverse down to the Yellow Medicine River. The principal consideration was an annual payment of \$68,000 for fifty years, of which \$40,000 was to be cash. The United States also engaged to expend \$30,000 for schools, mills, blacksmith shops, and like beneficial purposes, to remove the Indians to their new homes, and to provide them with subsistence for one year. A residue of \$210,000 was to be paid to the chiefs in such manner as they should thereafter in open council request, to enable them "to settle their affairs and comply with their present engagements"; in plain English, to pay the claims of the traders. The traders' paper amounted to an assignment in blank of this whole sum. The schedule of claims was not attached to the paper till the next day. On the question whether the chiefs who signed knew what they were doing, the evidence is conflicting. On August 5 a second treaty, ceding the same lands, was signed at Mendota. The reservation for the lower bands was also

on the Minnesota River, extending from the upper reserve down to the neighborhood of New Ulm. Each of the two tribes agreed to pay traders' claims to the amount of \$90,000. The lower Sioux were encouraged to conclude the bargain by a promise that \$30,000 out of a \$50,000 "education" fund provided for in the treaty of 1837 and never paid, but allowed to accumulate, should be distributed, so soon as the treaty should be signed. The money was paid, and within a week it was in the hands of St. Paul merchants and whiskey sellers; \$10,000 or thereabout went for horses. The commissioners congratulated themselves and the country on this magnificent purchase of a region larger than New York, at a cost of the "sum paid in hand." The annual payments promised would, they figured, be equaled by the interest from the lands.

The treaties awaited the action of the Senate. Before that body convened in the December following, representations were made to the authorities at Washington that a "stupendous fraud" had been practiced on the Sioux. The upper Sioux, inspired by a trader attached to an interest adverse to the American Fur Company, which had not obtained recognition for its claims, were much excited. In December twenty-one chiefs resorted to St. Paul, where they represented to Agent McLean and Governor Ramsey that their signatures to the traders' paper were obtained by fraud and deceit.

They declared that their bands owed no such sums of money, but were willing to pay what sums a fair examination of the claims might prove to be just. The agent promised to report their protest and demands to his superiors, which he did. Governor Ramsey had only to assure the chiefs that as treaty commissioner he had nothing to do with traders' claims. The money would be paid to their chiefs and braves, and it was for them to dispose of it as they thought proper. When the treaties were laid before the Senate in February, 1852, opposition to ratification at once sprang up, and long delay ensued. It was not any allegations of fraud and deceit which formed the ground of this opposition. It came from Southern senators not willing to extend the area of settlement to the north, on which to build another free state. It was not till June 23 that ratification was voted by a slender majority, and that not till after amendments were made, which opponents believed the Sioux would never agree to. In particular the senators cut out the paragraphs providing for the two reservations, and substituted a provision that the President should select new homes for the Minnesota Sioux outside the ceded territory.

In August Governor Ramsey was authorized to obtain the consent of the Indians to the amendments. This was effected through persons influential among them and without calling general councils of the tribes. The consent of the upper

Sioux, however, was not secured till after the execution of a power of attorney to Governor Ramsey, which they were allowed to believe "broke" all former papers, that of the traders in particular. The money appropriated for the immediate payments became available so soon as the Sioux chiefs had signed their ratifications, and Governor Ramsey was designated as disbursing agent and given a credit on the treasury for \$593,000. The payments did not begin till November, and then with the lower Sioux. The Wah-pé-ku-te chiefs gave no trouble, but signed their joint receipt for \$90,000 of "hand money," and a power of attorney to Mr. Sibley to receive the money and distribute it to their licensed traders. The seven Medawakanton chiefs would not sign receipts till after they had been encouraged by the distribution of \$20,000 in equal sums, deducted from the amount of traders' claims. Some minor enticements contributed. At "The Traverse," a fortnight later, "a very evil and turbulent spirit" was manifest. The chiefs demanded the money "for settling their affairs" to be paid to them. They would then decide "in open council" how it should be distributed. Mr. Ramsey was firm, and held them to the terms of the traders' paper, which he considered an irrevocable contract. The local Sissetons were so riotous that a company of troops had to be summoned from Fort Snelling to keep them in order. After much delay and no little effort he was able to obtain

twelve signatures to a receipt for the money to go to traders, but only two of the names were those of old and well-recognized chiefs, and only one that of a signer of the treaty of 1851. The moneys thus secured to the traders, and some moderate gratifications to the half-breeds, were, with the exception of the \$90,000 paid the Wah-pé-ku-tes, delivered by Governor Ramsey to one Hugh Tyler, a citizen of Pennsylvania holding powers of attorney. This gentleman distributed according to the schedules of the traders' papers, retaining by their consent the sum of \$55,250, about thirteen and one half per cent., as compensation for his services in securing the ratification of the treaties and for other purposes.

Political enemies of Governor Ramsey, and parties dissatisfied with the distribution of moneys under the treaties, laid formal charges and specifications against him before the Senate at the next session, in 1853. Upon the request of that body the President undertook an investigation and appointed two Democratic commissioners. Their report, covering, with testimony and exhibits, 431 octavo pages, was submitted to the Senate in 1854. It was on the whole moderate and even charitable in tone, but conveyed a censure for allowing the Indians to deceive themselves, for not paying strictly in accordance with the terms of the treaties, for use of oppressive measures in securing the receipts of the chiefs, and for allowing Hugh

Tyler a percentage not "necessary for any reasonable or legitimate purpose." The testimony disclosed that some amount of this money had been used as a "secret service fund" to expedite the business. As to the use of money to influence officials, the principal witness for the defense declared that none had gone or would go into the hands of Governor Ramsey, but that as to other officers, he declined to answer. The labored argument of his lawyers served only to darken counsel, when compared with Governor Ramsey's clear and frank explanation, filed before the investigation was begun.

The report went to the Senate committee on Indian affairs, a Democratic committee of a Democratic Senate. On February 24, 1854, they reported that after a careful examination of all the testimony the conduct of Governor Ramsey was not only free from blame, but highly commendable and meritorious. Thereupon the committee was discharged from further consideration.

The gist of the matter is, that a treaty of cession was much desired by the people of the territory, and intensely by politicians and speculators. It could not have been long delayed. No treaty could be made with these Indians without the active aid and intervention of the traders and half-breeds. Such aid could be had only by paying for it. The device of allowing Indians to stipulate in treaties for the payment to traders of debts due them from



individual Indians, as if they were tribal obligations, had long been practiced. But for the machinations of disgruntled parties desirous of being taken into the happy circle of beneficiaries, the scheme might have been worked as quietly and comfortably as usual. An old interpreter says of these treaties that "they were fair as any Indian treaties." Having undertaken to see that the traders and half-breeds should not go unrewarded for their indispensable services, Governor Ramsey stood by them to the end. The sums paid them were no robbery of the Indians. But for the fact that the treaties of 1851 were the beginning of troubles to be later treated of, they need not have taken so much of the reader's time.

A few days after Governor Ramsey took up his residence in St. Paul, another citizen established himself in that city of promise. His ambition was not confined to sharing in the unearned increment of a rapidly growing capital city; he wished also to take a part in public affairs. Henry M. Rice, born in 1816 in Vermont, emigrated to Michigan at the age of nineteen, equipped with an academy education and two years of law studies. He came on to Minnesota in 1839, and was employed presently by the Chouteaus of St. Louis, who took over the business of the American Fur Company, to manage their Winnebago and Chippeway trade from Prairie du Chien. In 1847 he became a partner in the

business and removed to Mendota, a place much too strait for two such men as himself and Mr. Sibley. Established in St. Paul, Mr. Rice threw himself into every movement and enterprise projected for the development of the town. He generously shared his gains with the public. His personal qualities were such that he could not help desiring public employment and obtaining great success in it. His manners were so gracious and yet not patronizing, that he made friends with all sorts and conditions of men. He divined with an unerring instinct the motives of men and parties, and knew when and how by appropriate suggestion to let them apparently move themselves towards his desired ends. An early example of Mr. Rice's influence and success may be found in a contract which he obtained in 1850 for collecting vagrant Winnebagoes and returning them to their reservations. The Winnebagoes were a powerful Wisconsin tribe when the white man came, and long after. The government persuaded them to vacate first their mineral lands and later all their lands in Wisconsin, and move to the so-called "neutral ground" in Iowa. This was a strip of territory some twenty miles wide, starting from the northeast corner of Iowa and running south of west to the Des Moines River. The generous presents and annuities required to effect the sale and removal were the ruin of the Winnebagoes. They became idle, dissolute, mischievous. The white settlers

could not endure them, and the Indians themselves tired of their confinement to a narrow area. Accordingly in 1846 a treaty was effected for the exchange of the neutral ground for a reservation of eight hundred thousand acres in Northern Minnesota. A tract lying between the Watab and Long Prairie rivers, west of the Mississippi, was obtained from the Chippeways for this purpose.

In the summer of 1848, with the help of traders and the military, the Winnebagoes, by this time sick of their bargain, were put on the road for their new home. Some did not start, others fell out by the way, but a majority of the twenty-five hundred souls were landed at Long Prairie. They liked the new home even less than they expected, and soon began to desert and scatter; some to encamp along the upper Mississippi, some to the neutral ground, others to their ancient country in Wisconsin; and a few are said to have wandered off to the Missouri. Wherever they went they were unwelcome, and the Indian office was flooded with complaints of their depredations and trespasses. Mr. Rice had traded with the Winnebagoes and had so attached them to himself that they had made him their sole commissioner to choose their new Minnesota home. His aid had been called in to persuade them to move. To him now the Whig commissioner of Indian affairs resorted to round up the vagrant Indians and corral them on their proper reservation. He agreed to pay Mr. Rice seventy dollars per

head for the service. Meantime Governor Ramsey and Agent Fletcher were occupied with collecting the Indians below, and preparing to transport or march them northward without material expense to the government. Delegate Sibley was supposed to be the proper territorial organ at the seat of government. The feelings of these gentlemen may be imagined when they learned that the "infamous Rice contract," of which they had not had the least knowledge or suspicion, had been concluded, and Mr. Rice's agents were on the road. In vain did Governor Ramsey inform the commissioner that he had several hundred ready to march; in vain was Delegate Sibley's "official protest" against a secret, unconscionable, insulting proceeding. A House committee of investigation exonerated the commissioner, but he took early occasion to resign his office. The point of interest to the Minnesota citizen was not the alleged excessive cost to the government, or the comfort of the Winnebagoes. He was concerned to know who had the greatest pull at Washington, and it appeared to him at the close that a certain private citizen of St. Paul, a Democrat, and not the Whig governor nor the Democratic delegate, was the man to "swing things" there.

In the fall of the same year (1850) came the regular election for delegate to succeed Mr. Sibley upon the expiration of his term. Mr. Rice, who had contested Mr. Sibley's election in 1848 as delegate from Wisconsin, — with little vigor, however,

—was too prudent to come out against one who had brought home the organic act, and made no opposition to Mr. Sibley's unanimous election as delegate to the Thirty-first Congress, although he organized the democracy of the territory as if for a candidacy. Nor did he personally aspire to the office when Mr. Sibley's first term was to expire. To defeat that gentleman he virtually dictated the Whig nominee, who had been useful in securing the Winnebago contract, and persuaded the regular Democratic nominee to retire on the eve of election in favor of the Whig candidate.

Mr. Sibley, although a Jeffersonian Democrat dyed in the wool, ran as a people's candidate. The total vote was 1208; a transfer of 46 votes would have elected the Whig candidate. The account of historians, surviving citizens, and the newspapers of the day concur in pronouncing this political campaign the bitterest and most intensely personal ever known in Minnesota. Mr. Sibley's opponents attacked him as the representative and tool of the American Fur Company, an ancient, shameless, intolerable monopoly. Party lines broke down, and the issue became "*Fur versus Anti-Fur.*"

—Mr. Sibley served through the Thirty-first and Thirty-second Congresses with admirable efficiency. At one time objection was made against his active participation in general legislation, and the suggestion made that a delegate should confine himself to matters concerning his territory. Mr. Sibley

replied that Minnesota was part of the United States, and that whatever concerned them concerned her, and claimed for her delegate the right to be heard, and all the more because he had no vote. The matter was dropped. He had little difficulty in obtaining for Minnesota the needful appropriations for her government expenses, roads, and public buildings, and the reservation in 1851 of two sections in each township for common schools, and of two townships of land for the endowment of a university. His most conspicuous act, in the highest degree creditable to him, although barren of results, was his effort to secure the passage of his bill to extend the laws of the land over the Indians. His speech of August 2, 1850, in which he denounced the rascality of the white man's dealings with the natives, the absurdity of treating with them as separate nations, and their need of the protection of the law, is a splendid testimony to the intelligence and wisdom of the man who doubtless knew more about Indian affairs than any other man on the floor. He spoke to deaf ears. The government went on sowing to the wind, to reap the whirlwind.

Mr. Sibley was permitted to return to private life at the close of his second term and devote himself to closing up his relations with the American Fur Company, of which he had remained the head. Mr. Rice was selected to succeed him by a three fourths majority vote over Alexander Wilkin, his Whig opponent.



## CHAPTER VII

### TERRITORIAL DEVELOPMENT

THE triumph of the Democratic party in the elections of 1852 was notice to all the appointive territorial officers of Minnesota that their days were numbered. On May 15, 1853, Governor Ramsey gave place to the Hon. Willis A. Gorman, and the Whig judges were succeeded by Messrs. William H. Welch, Andrew G. Chatfield, and Moses G. Sherburne.

The appointment of governor was a disappointment to the friends of Mr. Sibley, who felt that he had good right to aspire to the office. His connection with the now discredited fur company, and his failure to ally himself with the Democratic machine in Minnesota, left the President free to bestow the appointment on some one who had done loyal service in the late campaign. In this regard few were more deserving than Colonel Gorman of Indiana. Born in 1816, he was admitted to the bar at the age of twenty, and three years later became a member of the legislature. At the outbreak of the Mexican War he raised and commanded a battalion of riflemen and later a regiment of infantry. After that war he served two years in Congress, and de-

served well of his party. His power upon the stump was enhanced by a graceful personality and a voice of great melody and strength. The affairs of the territory had already been organized and had fallen into an orderly routine, so that Governor Gorman's administration of four years was not marked by notable executive acts. His messages abound in eloquent passages, generally commendatory of worthy enterprises and objects. The exigencies of politics and business presently put him and Mr. Sibley into the same bed, and affiliated Mr. Ramsey to some degree with Mr. Rice.

Legislative action was devoted mainly to provisions for the needs of a rapidly swelling population and expanding settlements. New counties were organized from year to year, and towns, cities, and villages were incorporated in astonishing numbers. College and university charters were distributed with liberal hand to aspiring municipalities. The disposition of the government appropriation for territorial roads occupied much time of the houses. The commissioners and surveyors employed in laying out the roads, and the contractors who undertook the construction, saw to it that no idle surpluses were left over. Plank-road charters were numerous, but none were ever built. Railroad incorporations occupy great space in the journals and statutes, perhaps because they had been excepted out of the general law of 1851 for the crea-

tion of corporations. Ferry privileges were much sought for.

The same conditions governed the activity of Mr. Rice, who took his seat as delegate in Congress in December, 1853. Industrious, persuasive, and soon influential, he promoted in many ways the interests of the territory and his constituents, and by so doing obtained a popularity hardly equaled in Minnesota history. He was diligent in laboring for the extension of the land surveys and the establishment of land offices. He secured the opening of post-offices in the new villages. His influence contributed to the extension of the preëmption system to unsurveyed lands, a change which virtually opened all lands not Indian to settlement. Mr. Rice's own personal qualities were such as to give him wide acquaintance and influence, and these were extended in no small degree by those of the charming Virginian lady whom he had taken to wife. Standing for reëlection in the fall of 1855, he won by a handsome plurality over his Republican opponent, William R. Marshall, and another Democratic candidate, David Olmstead, supported by the friends of Mr. Sibley.

As the administration of Mr. Ramsey had been signalized by the opening of many millions of acres of Indian lands to white men's occupation in southern Minnesota, so in Governor Gorman's day great areas were opened in the Chippeway country of northern Minnesota. It is probable that Mr. Rice,

more familiar with the Chippeways than any other public man, was most influential of all in procuring the cessions.

The earliest explorers to the shores of Lake Superior had brought away specimens of native copper and Indian reports of hidden metallic treasure. In 1826 Governor Lewis Cass obtained, by a treaty made at Fond du Lac with the Chippeways, the right of the whites to search for metals and minerals in any part of their vast country. Although no mining development took place, the belief persisted that there was great metallic wealth in the upper lake region. The first cession in the northwest was that of the Chippeways of Lake Superior in September, 1854, of the "triangle" north of the lake, extending westward to the line of the St. Louis and Vermilion rivers, embracing nearly three million acres. This great cession was followed by another still greater, early in 1855. Nearly four hundred townships in the north central part of the state were freed from Indian incumbrance. The two cessions cover nearly one half of the area of the state. It was the lumber interest which desired the acquisition of 1855. On the area liberated stood large bodies of the finest pine forests of America. The current belief was that they could never be exhausted. Of Chippeway country there remained a trapezoidal block in the extreme northwest corner of the state, which was acquired by treaty in 1863.

In 1851, immediately after the conclusion of the Sioux treaties of Traverse des Sioux and Mendota, Governor Ramsey made the long journey from St. Paul to Pembina, and there made a treaty with the local Chippeways for the cession of a great tract. This treaty went in with the Sioux treaties for confirmation and had to be "sacrificed" to secure favorable action by the Senate on them. What "interest" desired the extinction of Indian titles upon such a remote and disconnected area is not well known. Mr. Norman W. Kittson had operated there since 1843, for the American Fur Company. The ratified treaties mentioned left the Chippeways, some ten thousand in number, concentrated on reservations of moderate extent set apart in the ceded territory. These they still occupy, generally in peace, depending largely on their annuities for subsistence. Their progress in civilization and Christianity has been sufficient to keep the missionaries and teachers from giving up in despair. No body of ecclesiastics ever had a more complete rule over a people than the medicine-men of the Chippeway Indians.

An incident of the Chippeway treaty of 1854 must here have mention, at the risk of tedium. As was usual, the half-breeds had to be conciliated by a benefaction to prevent them from dissuading the Indians. It was given them in the shape of an eighty-acre tract in fee simple to each head of

a family or single person over twenty-one years of age, of the mixed bloods. This distribution was made and all beneficiaries, three hundred and twelve in number, were satisfied, within two years. Ten years after the negotiation of the treaty an accommodating commissioner of Indian affairs, upon application through Delegate Rice, issued two certificates for eighty-acre tracts to two members of a prominent Minnesota family, mixed bloods of the Chippeways of Lake Superior, who had never lived with those Indians. He also ruled that the grant extended to Chippeway mixed bloods of any tribe wherever resident. To prevent the oversight of any worthy beneficiaries under these rulings, industrious gentlemen at once employed themselves in searching them out and revealing their unsuspected good fortune. "Factories" were established at La Pointe, Wisconsin, Washington, D. C., St. Paul, and in the Red River country, and nearly twelve hundred were discovered. Later examinations of the lists showed that in some cases both man and wife had been reckoned as heads of families; and that the names of some minors, of some Chippeway families with too little white blood to fairly count as "breeds," and of a few deceased persons had been enrolled. The motive for this extraordinary diligence lay in the fact that the certificates or "scrip" could be used for the location of pine on unsurveyed lands, giving the holder the opportunity of ranging the woods and select-



ing the most valuable. These certificates the half-breeds were commonly willing to alienate for a small consideration. That they were on their face absolutely unassignable, and so good only in the hands of the beneficiary himself, was no serious obstacle to the ingenious operators. Two powers of attorney, one to locate, the other to sell, served as a virtual conveyance to the speculating lumberman.

James Harlan, Secretary of the Interior in Lincoln's second administration, put a stop to this pretty game. But his successor, O. H. Browning, yielded to the persuasions of interested parties, and on July 11, 1868, reopened the doors to them. Within a few weeks a prominent citizen filed 315 applications and received 310 pieces of scrip. An investigating committee expressed the opinion that "probably not one of these was valid." They were good for 24,800 acres of pine. The liberal secretary ruled that they might be located on any lands ceded by the Chippeways by any treaty, and need not be selected on those ceded at La Pointe in 1854. Applications continued to come in. In the following year, 1869, Colonel Ely F. Parker, by birth a Seneca Indian, was made commissioner of Indian affairs. Taking up the applications, he rejected them all and gave notice that no more scrip would issue under the treaty of 1854. Holders of certificates obtained in the manner described were discouraged, but not cast down. They prevailed on the Secretary of the Interior in 1870 to appoint a gentleman of

Minnesota a special agent to examine claims. Reporting progress in March, 1871, that agent had found 135 persons entitled to scrip.

Columbus Delano was Secretary of the Interior in the year last mentioned. Assured that the subject of Chippeway half-breed scrip would bear scrutinizing, he appointed the Neal commission. The report of that commission brought the facts above related to the surface. Of the 135 claims reported valid by the late special agent they found two legitimate. They approved eleven out of 495 others presented. The commission also examined 116 "personal applications," filed in the St. Cloud land office, and these without exception were fraudulent. That number of persons, belonging to a Red River train bivouacked at St. Cloud, had been taken into the land office and steered through the motions of applying for scrip. For this accommodating service they were paid from fifteen to forty dollars apiece. The commission recommended that no more Chippeway half-breed scrip under the treaty of 1854 should be issued, unless by order of Congress, and that the persons who had been guilty of subornation of perjury, forgery, and embezzlement should be prosecuted.

This did not conclude the long drawn out matter. Pieces of scrip accompanied with powers of attorney in blank had been freely bought and sold for use in locating pine. These vouchers fell into the hands of bankers, and represented considerable invest-

ments. It seemed a hardship that these holders should suffer loss. On June 8, 1872, Congress passed a bill with the innocent title "An act to quiet certain land titles." It provided that "innocent parties" holding Chippeway half-breed scrip in good faith, for value, might purchase the corresponding lands at a price to be fixed by the Secretary of the Interior, not less than one dollar and a quarter an acre.

The Jones commission, appointed to ascertain the innocent holders, reported thirteen individuals and firms entitled to the benefits of the act, and approved 216 entries conveying 17,280 acres of the best pine in Minnesota, worth eight to ten dollars an acre. As to the price to be paid, the commissioners advised the department that it would be useless to ask more than two dollars and a half an acre, for if put up at auction, combinations of bidders would hold bids to that figure. The commission vindicated the claimants from any participation in the original frauds, but found that they had been much too careless in their investments, and so had become victims of persons who had "got up a scheme with wonderful prudence and caution." These victims, thus resorting to Congress for relief, were the sharpest pine land operators ever known in Minnesota.

This recital may teach how and why liberal gratifications were always desired for mixed bloods, when Indian treaties were negotiated.

A contemporaneous operation, similar in its results, took place with the half-breeds of the Sioux nation. Account has already been made of a gift of land which the Sioux were permitted to bestow on their half-breeds in the treaty at Prairie du Chien in 1830. The tract designated, roughly rectangular, long known as the "Wabashaw reservation," lay on the Mississippi, running down river from Red Wing thirty-two miles, and back into the country fifteen miles. The treaty provided that the President might in his discretion grant title to parcels of one section in fee simple to individual breeds; and it was the expectation of the able men who were working the scheme that they would soon be in possession of extensive properties at slight outlay. Agent Taliaferro, the incorruptible Sioux agent, revealed the plan in so forceful a way that neither President Jackson nor any successor would grant title to individuals. Failure to get possession of land was followed by efforts to get money. The half-breeds had no desire to settle on the reservation. In 1841 the unratified "Doty treaty" with the Sioux included a sum of \$200,000 to be paid the breeds for the reservation, which they were to surrender. Again in 1849, when Commissioners Ramsey and Chambers attempted to obtain a treaty of cession of the Sioux, they only succeeded in securing an agreement of the half-breeds to accept some such sum. The Senate refused to ratify. A similar article was injected into the treaties of 1851, and this

was rejected by the Senate, to the disappointment of patient waiters.

The matter awaited the intervention of Delegate Rice, whose knowledge and skill in Indian affairs had obtained him influence in Congress. On July 17, 1854, a bill which had been introduced by him, providing for the survey of the Wabashaw reservation in Minnesota, "and for other purposes," was approved. The "other purpose" was to give the President authority to issue certificates or scrip to individual Sioux half-breeds, under a *pro rata* division of the tract. These certificates might be located on any lands of the United States, not reserved, unsurveyed lands included. In express terms the law forbade the transfer or conveyance of the scrip. The tract was surveyed, and in the course of two years 640 individual breeds were assigned 480 acres each. Later 37 persons obtained each 360 acres; in all 320,880 acres were disposed of. Very few of the beneficiaries settled on the reservation. In many cases the scrip went to pay traders' debts, and in many others the beneficiaries got "dogs and cats" for it. White men who had taken half-breed wives profited most. The size of some families is remarkable.

The provision of law that no scrip could be transferred was evaded by the same means as those employed in handling Chippeway half-breed scrip. Two powers of attorney with the necessary affidavits worked a transfer, which the courts sus-

tained. Sioux half-breed scrip which could be located on unsurveyed lands was soon in request, and served the purposes of the well-informed. A batch of it went to California to be located on forest and mineral lands. A moiety was used for the acquisition of town sites in Minnesota in advance of surveys. Another use involving some elasticity of conscience was the acquisition of pine timber without the inconvenience of taking the lands with it. A plan of "floating" scrip was worked out and prosecuted so habitually by men of good report that no dishonor attached to it. The holder of scrip under power of attorney would locate a piece, cut off the pine, and then discover that he had not dealt wisely for his half-breed principal. He would then obtain a cancellation of his location, place his scrip on another piece, and repeat the process until the surveys were made. As late as 1872 the commissioner of public lands issued a circular condemning this practice in vigorous terms.

Soon after the unexampled development of the iron mines in the "triangle" in the middle of the eighties, Sioux half-breed scrip was used to obtain title to lands still unsurveyed in that region, likely to be found iron-bearing. Mr. Vilas, Secretary of the Interior, and his successor decided, in cases referred to them, that this scrip could not pass title, the powers of attorney being but a means to evade the law declaring the scrip to be non-trans-



ferable. A long series of litigations followed, concluded by the Supreme Court decision of 1902 (183 U. S. 619), holding those powers of attorney to work a valid conveyance. The title to many millions worth of mining property was thus quieted.

It may here be noted that in 1855 the Winnebagoes, discontented with their homes in the Long Prairie reservation, were glad to exchange it for one of eighteen miles square, south and east of Mankato, whither they removed in the same year. The new reservation being less than one fourth the area of the old, a large addition was made to white man's country.

Of all the developments in the time of Governor Gorman none equaled in importance the phenomenal increase of population. The census of 1850 showed a total of 6077 souls in the nine counties of the territory, 4577 of them in three counties. Pending the negotiation, amendment, and ratification of the Sioux treaties of 1851 the accessions were small.

It was late in the season of 1853 when the bands of the upper and lower Sioux were established on their reservations on the upper Minnesota. Some adventurous prospectors had not waited for them to abandon their villages on the Mississippi, but had staked out claims in their corn and bean patches. There may have been 10,000 whites when the Indians had departed.

In the early summer of 1854 the Rock Island and Pacific Railroad was built through to the Mississippi. The event was celebrated by a grand excursion from Chicago to St. Paul and Fort Snelling. Five steamers carried the party from Rock Island up the river. Among the guests were statesmen, divines, college professors, and eminent men of affairs. At the reception in St. Paul addresses were made by ex-President Fillmore and George Bancroft the historian. This excursion, widely heralded, gave notice that Minnesota was in steam communication for half the year. That year saw the arrival of the advance guard of the host to follow. The season of 1855 saw 50,000 people in the territory; that number was doubled in 1856. The sales of public lands, which in 1854 had been but 314,715 acres, rose to 1,132,672 in the next year, and to 2,334,000 in 1856. These figures indicate that the people came to stay and cultivate the soil. The Middle States sent the largest contingent, next the Northwestern States, and then New England. The prairie lands, if broken early, would yield a crop of sod corn the same year, and in any case returned a bounteous harvest in the second year.

In a time incredibly short these pioneers, rudely housed and their animals sheltered, were surrounded by all solid comforts. They lost no time in starting their schools, churches, and other associations. Minnesota was hardly ever missionary ground for white people.

The establishment of steam communication for the summer season made the "territorians" of Minnesota feel the more keenly the isolation in the long winters. Governor Gorman in his first message (January 11, 1854) said: "To get out from here during the winter . . . is far above and beyond any other consideration to the people of Minnesota. To accomplish this you must concentrate all the energies of the people on one or two roads, and NO MORE for the present. I have but little doubt that Congress will grant us land sufficient to unlock our ice-bound home, if we confine our request to one point." This wise counsel had its effect on the legislature. On February 20 Joseph R. Brown introduced into the council a bill to incorporate the "Minnesota and Northwestern Railroad Company," which was presently passed by that body, but by no large majority. In the house lively opposition sprung up, and dilatory proceedings delayed passage till the last night of the session (March 3). Governor Gorman gave it a reluctant approval because he had been allowed but sixty-five minutes before the expiration of the session to examine its provisions. It is quite remarkable that a bill of such importance, the talk of the town, had escaped his notice. The act authorized the chartered company to build and operate a railroad from the head of Lake Superior via St. Paul to Dubuque, Iowa, within a specified term of years. The franchise was to be void unless the first board of directors should

be organized on or before the first day of July following.

The real ground of opposition in the legislature, and of Governor Gorman's reluctance, lay in a provision, "that any lands granted to the said territory to aid in the construction of said railroad shall be and the same are hereby granted in fee simple, absolute, without further act or deed," to said company. There was ambiguity in the paragraph relating to the northern terminus, leaving it in doubt whether that might not be located outside of Minnesota. It was suspected that the intention was to place it at Bayfield, Wisconsin, where influential persons had made purchases of real estate. It remained to secure from Congress the much needed and hoped for land grant. A bill to grant even number sections of public lands for six sections in width on both sides of the proposed railroad line, so drawn as to allow the grant to pass to the company chartered by the Minnesota territorial legislature, was introduced in the House on March 7. The Secretary of War, Jefferson Davis, warmly recommended its passage because of the service the road would render in transporting troops, munitions of war, and mail.

The proposition to grant a million acres and more to so remote and thinly settled a territory at once aroused inquiry and opposition. The policy of granting public lands for building railroads was still novel; there were but three precedents, that

of the Illinois Central grant of 1850 being the oldest. The measure, however, had its friends, and the opponents were driven to the device of killing the bill by amendments. And they succeeded. Presently came a revulsion. Members from the South and West regretted that the railroad land grant policy had received so rude a backset. There was no little sympathy for Minnesota, struggling for an open road and a market. Another effort was resolved upon. Mr. Sibley, then in Washington, drew a new bill identical in the main with that which had been put to sleep, but so changed as to vest the grant in the territory and leave its disposition to the next or a later legislature. This bill was passed and approved on June 29.

The incorporators named in the Minnesota act creating the Minnesota and Northwestern Railroad Company met in New York on July 1, on one day's notice, and "organized" by the election of a board of directors. The board immediately elected the necessary officers and took the proper resolutions for beginning their enterprise. On the 24th of July it was charged on the floor of the House of Representatives at Washington that the "Minnesota bill" had been mutilated after its passage by the House, so that the Senate had really passed a differing bill. The effect of the change (simply the word "and" written over an erasure of the word "or") had the effect to vest the lands granted in the Minnesota corporation; just what Congress had

intended not to do. An abortive investigation followed, and the mutilated bill was repealed by a section added to a private bill to increase a certain pension, pending in the Senate, and awaiting third reading. This action was of course disappointing to the railroad company and those friendly to it. Delegate Rice was of opinion that the alteration of "or" to "and" was purely verbal and immaterial, and eminent attorneys advised the company that a grant having been made for sufficient considerations, it had become an irrevocable contract. The pretended repeal, therefore, was void. To test this question a case entitled *The United States vs. The Minnesota and Northwestern Railroad Company* was brought before the district court of Goodhue County, asking the award of damages for certain oak trees felled on land belonging to the government. The defense contended that no damages were done, because it had cut the trees on land granted by Congress by the act of June 24, 1854. The issue was, of course, the constitutionality of the repealing act. The court held the act void, and the Supreme Court of the territory sustained that judgment before the end of the year. This was very encouraging to the company, but their joy was presently changed to sorrow. When the Attorney-General of the United States learned from the newspapers of this litigation, and of a suit brought in behalf of the United States without his knowledge or authority, he removed the accommodating



district attorney from office (December 30, 1854), and later discontinued the suit.

When the legislature of 1855 convened, on January 3, the company, sustained by the Supreme Court of the territory, was in a position to approach that body with confidence. Its affairs now entered more fully than ever into territorial politics, and it is only on this account that further notice of them is taken. Mr. Rice, supported by Mr. Ramsey, a director of the company, championed the railroad cause. Governor Gorman and Mr. Sibley led the opposition forces. The former in his message denounced the "or" and "and" jugglery, and the latter, as chairman of the judiciary committee of the lower house, framed a damaging report which called for a memorial to Congress to annul the charter of the company granted by the Minnesota legislature March 3, 1857. The memorial was not voted, but the national House of Representatives by resolution of January 29 decided, for its part, to annul. The Senate did not concur, and Delegate Rice was comforted. When the news reached St. Paul on March 24 the whole town was illuminated.

The charter of the company provided that unless fifty miles of road should be completed within one year the franchise should be forfeited. An extension of time and certain modifications were necessary. A bill granting these was passed by sufficient majorities. Governor Gorman vetoed it in a message of great sharpness, closing with an insinuation

that the "money-king" had had more than his share of influence. The houses by exact two thirds votes passed the bill over the executive veto. Mr. Sibley and his friends had to content themselves with a personal memorial to Congress, which his biographer declares to be unequalled "for fearless and burning exposure of wrong and perfidy, in the annals of any territory or state." The company had been let to live, but it was obliged to apply to the next legislature (1856) for a further lease of life. This was accorded by good majorities in both houses. Again Governor Gorman interposed his objections, declaring it futile to extend the life of the corporation. A new bill, drawn in such manner as to obviate the executive criticisms, was passed by a close vote at the end of the session. The bill received the reluctant approval of the governor. Three successive legislatures having sustained the company's charters, he acquiesced, with slight confidence, however, in its professions.

The company now made a second resort to the courts to establish its claim to the grant of June 29, 1854. One of its directors, having bought of the United States a piece of land in Dakota County, brought suit against the railroad company for trespass. The district and supreme courts of the territory gave judgment for the defendant company, holding that it had good title to the land grant and therefore was not guilty of the alleged trespass. Before entry of judgment, however, in the latter

court, the case was removed to the United States District Court; and this tribunal also found for the defendant. The Supreme Court of the United States, on writ of error from below, in December, 1861, disposed of the case by deciding (two justices dissenting) that the act of Congress of June 29, 1854, vested in the Territory of Minnesota no more than a naked trust or power, which could be and was revoked by the repealing act. The territorial legislature had exceeded its power in attempting to vest title in fee simple in the railroad company.

It was in the period now in view that Minneapolis, which has become the largest Minnesota city, had its beginning. The military reservation of Fort Snelling as delimited by Major Plympton in 1839 comprised, as was guessed, about 50,000 acres. The surveys made in later times show nearly 35,000 acres. So soon as it became known that a treaty of cession would be exacted from the Sioux, it was believed by the neighboring residents that Fort Snelling would be abandoned and the reservation opened for settlement. In 1849, when the first attempt was made on the Sioux, Robert Smith of Alton, Illinois, a member of Congress, having a "pull" at Washington, got leave of the War Department to lease the government mill at the Falls of St. Anthony on the west side. Later this concession ripened into a purchase of a quarter section abutting on the cataract. In the next year John H.

Stevens, acting for himself and another, had similar leave granted to occupy the river front above the Smith claim, on condition of operating a ferry, free to government, at the falls. In the next year, 1851, a number of citizens of St. Anthony, already a thriving village of some six hundred people, thought it would be well to establish inchoate claims on some of the beautiful terraces which lay in view from their homes, beyond the river. They accordingly crossed over, staked out quarter sections as well as possible in the absence of surveys, built claim shanties, and had some plowing done. Still another year later, 1852, when in midsummer the Sioux treaties and amendments had been ratified and it was evident that the Sioux must soon move towards the sunset, and that the military reservation would be given up and opened to settlement, there took place a wild rush of St. Anthony men across the stream to seize on the coveted lands. It was not long till the whole terrain of Minneapolis was covered with claims. The action of Congress ordering a survey of the reserve expedited these irregular preëmptions.

The expectations of the squatters were so far met that on August 26, 1852, Congress authorized the "reduction" of the reserve, and the survey and sale of the excluded area. Two years passed before the surveys were completed and the lands advertised for sale. It was not desired that haste be made. On the completion of the surveyor's work,

the squatters formed a so-called "Equal Rights and Impartial Protection Claim Association of Hennepin County, M. T.," the prime object of which was to adjust the numerous tracts of claimants to the lines of survey. This was effected by the action of an executive committee allowed to use discretion and guaranteed support. There was a second use for this organization. There was a considerable area east of the Mississippi left outside the boundary of the reduced reserve. This had been offered for sale in the usual subdivisions in September, 1854, at public auction. There was but one bidder, and he was surrounded by interested citizens who would have made it uncomfortable for any other person who might thoughtlessly inject a superfluous bid and mar the harmony of the occasion. The government got \$1.25, the minimum price for wild lands, for property worth easily ten times that sum, and nobody's conscience was strained. In anticipation of a public sale of the main portion of the reserved lands on which Minneapolis has been built, the claim association mentioned was prepared, by similar proceedings, to prevent any speculators (others than themselves) from depriving them of their rights by offering to pay value for the lands. But the plats were by some unknown influence held back in Washington and the sale was postponed. When Congress assembled in December, 1854, a strong delegation of claimants appeared in Washington and secured further



postponement of the public sale. Delegate Rice took up their cause with vigor and presently obtained the passage of an act granting preëmption right to all who might comply with preëmption conditions. In the spring of 1855 the fortunate claimants proved up, and the government received \$24,688.37 for 19,733.87 acres of land worth more than \$200,000. There is a tradition, lacking support by particular facts, that military officers in the neighborhood profited by arrangements with squatters, who agreed to divide spoils in consideration of being left undisturbed on their claims. Citizens not having such arrangements were discouraged, and in some cases driven off by force.

The nucleus of Minneapolis was well crystallized in 1855. The United States land office was established, the first bridge over the Mississippi in all its length was built, the first town plat surveyed, and one hundred houses built. (In 1854 there were but twelve scattered claim shanties.) Seventeen stores and artisans' shops in many lines sprang up. There was a hotel, a newspaper, and four organized churches. Minneapolis existed under town government till 1867, and in 1872 was united with St. Anthony, the latter city losing its historic name. The name Minneapolis is a variant on Min-ne-ha-polis, proposed by Charles Hoag. After this "reduction" of the Snelling reservation, its area covered 7916 acres, as shown by later surveys.

The story of the clandestine sale of the whole



by Buchanan's secretary of war in the spring of 1857, while abounding in incident, was too slight in its results to call for complete narration. It is probably not true that this sale was part of a scheme attributed to Floyd, to squander the military resources of the North in anticipation of a rebellion of the South. H. M. Rice interested himself in getting the necessary legislation and orders for the sale. The whole tract was sold for \$90,000, of which one third was paid down. The purchaser defaulted on the remainder, and the government resumed possession at the outbreak of the Civil War. In 1872 the claims of the purchaser for his equity and rentals were adjusted by a board of military officers, which awarded him 6,394.80 acres, the government retaining 1,521.20 acres. It has been found necessary to repurchase some of the alienated land for the uses of the garrison.

In the winter of 1857 a bill to move the capital to St. Peter was passed in both houses of the legislature. Joseph Rolette of Pembina, chairman of the council committee on enrollment, absented himself with the bill till after the close of the session. The speaker signed a substituted copy, but the president of the council refused. Governor Gorman approved, but the Supreme Court held that no law had been passed.

## CHAPTER VIII

### TRANSITION TO STATEHOOD

IN his message of January, 1853, Governor Ramsey had prophesied a population of more than half a million in ten years. Governor Gorman, in a message three years later, figuring on an increase of 114 per cent. in the previous year, advised the legislature that they might expect a population of 343,000 in two years, and 750,000 one year later.

In the course of that year the newspapers began to discuss the question of statehood, and when the legislature of 1857 assembled, Governor Gorman's proposition to call a convention without awaiting the initiative of Congress received early consideration. A bill to provide for a census and a constitutional convention was passed by large majorities in both houses, but seems to have been lost by the enrolling committee of the council, and was not presented for executive approval. Pending action on this bill the houses passed a memorial to Congress praying for an enabling act. Delegate Rice, much too enterprising a politician to neglect his duty to constituents desirous of statehood, early in the session of 1857 had introduced a bill to enable the people of Minnesota to organize as a state and

come into the Union. Besides a little pleasantry about the formation of a sixth state in part out of the old Northwest Territory, while the ordinance of 1787 had provided for five only, there was no opposition to the bill in the House. It found, however, a hard road to travel in the Senate. The ostensible ground of opposition was that the bill allowed white inhabitants of the territory, aliens and all, to vote for delegates to the convention. An amendment to confine the suffrage to citizens of the United States prevailed by a close vote on a late day in February. In this amendment it was known the House would not concur, and the opposition were content. A reconsideration was obtained, however, by the friends of the bill, and a long debate followed, in the course of which the actual ground of opposition was revealed. The "equilibrium of the Senate" was threatened, and might be destroyed by the senators the new state should elect. Regret was expressed that Iowa and Wisconsin had been admitted as states, and one senator revived a letter of Gouverneur Morris in which that statesman denied the right of Congress to admit new states on territory acquired after the adoption of the constitution.

The alien suffrage amendment, however, was rescinded, and the bill as it came from the House passed by a vote of 31 to 22; every negative vote came from south of Mason and Dixon's line. It may be conjectured that the object of the Minne-

sota legislature in nursing along its bill to form a state government without an enabling act of Congress was to let Congress know that its action was not indispensable.

The enabling act as passed February 26, 1857, was in the form which had become traditional, and embodied the usual grants of public lands for schools, a university, and public buildings. The boundaries of the proposed state were those of the territory except that on the west, which was drawn in from the Missouri River to the line of the Red, thus reducing the area about one half. Revised computations give Minnesota 84,287 square miles, or about 54,000,000 acres.

The act provided for an election of delegates to a convention on the first Monday in June, under the existing election laws of the territory. An ambiguous clause authorizing the election of "two delegates for each representative," according to the apportionment for representatives to the territorial legislature, ignoring councilors as such, became the occasion of trouble. The Minnesota legislature, in an act of May 23, appropriating \$30,000 for the expenses of the convention, provided that each council district should have two delegates, and each representative district also two. The number of delegates was thus fixed at 108, instead of 68.

Governor Gorman on April 27 called a special session of the legislature to take any necessary action regarding the coming convention, and to

dispose of a railroad land grant which Congress had made. This will engage attention later. Governor Gorman, however, did not officially survive to coöperate in the making of the state constitution. Mr. Rice, warmly attached to President Buchanan, who had come into office in March, would, it was well known, secure Governor Gorman's early retirement to private life. They had not been of much comfort to one another in railroad and other matters. Governor Gorman resigned, and was succeeded by the Hon. Samuel Medary of Ohio, who had done good party service through his newspaper and otherwise. He was a gentleman of excellent character, but remained in Minnesota too short a time to identify or even acquaint himself with her people and interests.

The Whigs had never been strong in the territory, nor well organized. The "Moccasin Democracy" had become habituated to control, and expected indefinite enjoyment of official emoluments. The passage of the Kansas-Nebraska bill by Congress on May 26, 1854, rudely disturbed this pleasant dream. A new party of protest against the introduction and maintenance of African slavery in the territories, under active national protection, sprang into being. A Republican convention met in St. Paul, July 28, 1855, adopted a platform, and nominated candidates for territorial offices. It also nominated the leader of the movement, William R. Marshall, to succeed Mr. Rice as delegate to



Congress. Mr. Rice had too many electors personally attached to himself to be beaten. It has been thought, however, that Marshall might have won but for a "prohibition" plank in the platform, which lost him the German vote. At the election of 1856 the Republicans obtained a working majority in the lower house of the legislature to meet in the following winter. As the day drew on for the election of delegates to the convention both parties were anxious about the result. The Democrats held on to the hope of recovering control; the Republicans were none too confident that they could hold their slight balance of power. The issue was declared by the leading Democratic newspaper to be "*White Supremacy versus Nigger Equality*." The vote was unexpectedly light, and the results were not clearly decisive. In a few districts "councilor" delegates had been distinguished on the ballots from "representative" delegates; in most cases they had not. In the St. Anthony district the canvassing officer gave certificates of election to Republican candidates who had received fewer votes than the Democratic, on the ground that the Democratic ballots had not distinguished the nominees for councilor and representative delegates.

The control of the convention would, it was maintained, depend on the action of the committee on credentials to be appointed by the presiding officer. To capture the "organization" became the object of each of the nearly balanced parties. It



chanced that the enabling act had not specified the hour for the assemblage of the convention. The excited and suspicious leaders were unable to agree informally. To make sure of being on hand the Republican delegates repaired to the capitol late on the Sunday night preceding the first Monday in June, and remained there, as one of them phrased it, "to watch and pray for the Democratic brethren." These did not appear till a few moments before twelve o'clock noon of the appointed day. Immediately upon their entrance in a body into the representatives' hall Charles R. Chase, secretary of the territory and a delegate, proceeded to the speaker's desk and called to order. At the same moment John W. North, a Republican delegate, designated by his colleagues, called to order. A motion to adjourn was made by Colonel Gorman, and the question was taken by Chase, who declared it carried. The Democrats left the hall to the Republicans, who proceeded to organize the convention. Fifty-six delegates presented credentials in proper form and took their oaths to support the constitution of the United States.

At noon of Tuesday the Democratic delegates assembled about the door of the hall, and, finding it occupied by citizens who refused to give them place, met in the adjacent council chamber and proceeded to organize the convention. Henry H. Sibley was made chairman, on motion of Joseph R. Brown, and later became president of the body.

From that day till the close of their labors, August 28, the two conventions sat apart. St. Anthony was represented by six delegates in each, so that the whole number participating was one hundred and fourteen. Their proceedings, published in separate volumes, show a commendable diligence in business. An undue amount of time was given to oratory in defense of the legitimacy of the respective moieties.

As the delegates had for examples the constitutions of all the states carved out of the Northwest Territory, and in particular of the very recent ones of Wisconsin and Iowa, the task of framing the various articles was not burdensome. Most of them were adopted, with little or no debate, as reported from the standing committees. The Republicans refused by a two-thirds vote to tolerate negro suffrage. A proposition to submit to Congress the division of the existing territory by an east and west line on the latitude of  $45^{\circ} 15'$  or  $45^{\circ} 30'$  was much discussed in both bodies. It was so much favored by the Republicans that a change of three votes would have given it a majority. The Democrats, attached to St. Paul and strong in the northern counties, gave the scheme slight support.

The absurdity of the situation was apparent, but pride restrained both bodies from taking a first move towards coalescence. At length on the 8th of August Judge Sherburne, a member of the Democratic convention, highly respected by Re-

publicans as well, proposed the appointment of conferees to report a plan of union. The venerable jurist saw his resolution indefinitely postponed, after a debate abounding in heroic rhetoric. Two days after, the Republicans passed a preamble and resolutions in the exact terms of those of Judge Sherburne and sent them to President Sibley. A select committee, headed by Gorman, advised that no communication could be entertained which questioned the legal status of the Democratic body. The report was unanimously adopted.

By this time the Republican delegates had found themselves at a certain disadvantage, from which relief was to many very desirable. The Democratic treasurer of the territory had refused to honor their pay accounts, and they were serving the public at their own expense. Doubtless from extraneous overtures made by them, the two bodies on the morning of August 18 adopted resolutions to appoint conferees. These were immediately named and began their duties. By this time all the necessary articles had been drafted, and as both bodies had drawn from the same sources the conference committee had an easy task. Those wrought out by the Democratic delegates, who were the older and more experienced men, were chiefly adopted. When Judge Sherburne on August 27 laid before the Democratic convention the report of the conferees, with the comforting assurance that it was composed of the Democratic material "almost altogether,"

the chair was obliged to exercise no little firmness to restrain a turbulent opposition. A test vote showed a majority of more than three fourths for adoption. The final vote went over.

The next morning, August 28, both bodies agreed to the report without amendment. There was some resistance in the Republican end, but it gave way when a leader assured the dissentients that they had a dose to swallow, and they might as well shut their eyes and open their mouths and take it. Two copies were made of the one constitution thus agreed to, one of which was signed by the officers and members of each body respectively. The Republican manuscript remains in the state archives. Joseph R. Brown expressed the opinion that the split into two bodies had been economical. Had the convention met in one body, the orators by their revilings and vituperations would have prolonged the session till the end of the year and the expenses would have been doubled. Spite of the generous endeavor of this delegate, the Democrats refused to agree that the Republicans should draw their pay. A subsequent legislature provided for them. Both parties were quite content with the constitution; the Democrats for what they had conserved, the Republicans for germs of future development.

The boom period which culminated in 1857 was nowhere more exuberant than in Minnesota. The

swelling tide of population of the previous two years had brought in a body of speculators who presently gorged themselves with the unearned increments of land and town lot values. The whole population caught the fever and bought for the expected rise. The country people found ready sale for produce in the growing towns, and the merchants profited by their prosperity. The resulting elation and extravagance were at no time more abounding than in the closing days of the constitutional convention.

It was the 24th of August when the failure of the Ohio Life Insurance and Trust Company of New York precipitated the liquidation of incredibly multiplied credits in the East. A week later the tardy mails brought the news to St. Paul, and nowhere in the country did the panic strike with greater violence. The little money, real and promissory, sank out of sight. Deposits ceasing, the banks suspended. Eastern exchange rose to ten per cent. Assignments, foreclosures, attachments, and executions made law practice the only profitable pursuit. The horde of speculators who had infested the towns and villages abandoned their holdings and made their escape. According to J. Fletcher Williams, the lamented historian of St. Paul, that city lost fifty per cent. of its population. From the crest of a high wave of fancied opulence, the new state was thus suddenly plunged into a deep trough of adversity and despondence ; and it



was a long day till she rose to the level of normal prosperity.

The keenest of all disappointments was the postponement of railroad building. A score or more of chartered companies could not borrow enough ready cash to pay for their surveys. A generous congressional act of 1857, engineered by Delegate Rice, had made the Minnesotians of all classes joyous. That act bestowed on the territory and expectant state a grant of public lands equal to nearly a ninth of its whole area, to aid in the building of railroads. It is probable that this benefaction was all the more willingly bestowed because the territory had three years before been deprived of a noble grant by no fault of her own. The act did not convey the lands to the state, but made the state a trustee for four different railroad "interests" aspiring each to build its portion of a system of roads coextensive with the state.

The legislature of 1857, in the extra session already mentioned, accepted the trust created by the congressional grant, recognized the four companies to construct each its part of the system, and pledged to each its allotted lands as they should be earned by the completion of successive twenty-mile stretches of road. With a bird in the bush the Minnesota people were childishly happy. They saw a thousand miles of railway as good as built, spreading population far and wide and carrying the produce of an empire to waiting markets.



It was a good fortune for the territory that the organic law gave it no power to run in debt. It was equally unfortunate that a corporation created by it could and did run in debt. In the same February of 1851 in which Delegate Sibley secured from Congress the reservation of the two townships of land to endow a university, the Minnesota legislature created the University of Minnesota, to be located at or near St. Anthony's Falls. The act provided for a board of twelve regents to be elected by the legislature in joint session, in classes for six-year terms. The gentlemen immediately elected, among them Sibley, Ramsey, Rice, North, and Marshall, commanded, as they deserved, the confidence of the people. The board organized on the last day of May, 1851, and resolved to open a preparatory department as soon as possible. One of their number, Franklin Steele, gave a bunch of lots in St. Anthony's Falls near the site of the well-known Winslow Hotel, later occupied by the Northwestern Industrial Exposition building; others subscribed money; and a few books were thrown in to be the nucleus of the library. In a wooden building 30 by 50 feet, two stories and a basement, the preparatory school was opened on November 26. It continued a useful existence till the close of 1854. By this time the regents, among whom there had been changes of personnel, became desirous to open the "university proper." In that year they had located through competent experts

several thousand acres of the lands reserved by Congress on the best pine in the Stillwater district. The lands they could not sell, but they did despoil them by selling the "stumpage," and used the money as collected for university purposes. They bought the heart of the present campus, twenty-five acres, more or less, for \$6000, paying cash \$1000 and giving their notes for the remainder. The stumpage receipts were too small and came in too slowly to warrant large expenditures for development. On February 28, 1856, the legislature authorized the regents to borrow \$15,000 on twelve per cent. bonds secured by mortgage on the campus; \$5000 to pay the balance due on the campus, \$10,000 for a building. In August of the same year the board, much deteriorated by a late election, voted by a majority of one to close a contract for a building to cost \$49,000, to be completed within eighteen months. When a year later, almost to a day, the panic struck, the building was nearly complete and large sums were due the contractors. The sales of pine stopped and collections for previous sales ceased. The concern was bankrupt and so remained for nearly a decade. A paragraph of the state constitution, retained against no slight opposition, confirmed the location of the university and devolved all university lands and endowments then existing or to be thereafter granted on the "University of Minnesota."

The closing year of Minnesota's territorial existence was diversified by an Indian butchery, horrible indeed in its immediate incidents, but especially noteworthy for its contribution to later atrocities. For many years a renegade band of the Wah-pé-ku-te tribe of the Sioux had wandered in the Missouri valley under the leading of one Inkpaduta (Scarlet Point). In the spring of 1857 these Indians were hunting in northwestern Iowa, and on March 6 or 7 fell upon the little settlement of Spirit Lake in Henderson County, murdered some forty persons, as estimated, and carried four women into captivity. Marching on the little hamlet of Springfield, some fifteen miles to the north, in Martin County, Minnesota, they found but few victims, because a refugee from Spirit Lake had arrived before them. The news of these outrages did not reach Agent Flandrau at the Lower Sioux agency till the 18th. Upon his requisition, Captain Alexander Bee, commanding the little garrison at Fort Ridgely, with his company of infantry, led a lively but fruitless pursuit of Inkpaduta, who had gone off to the Missouri. It was well understood that so long as the miscreant held the four women, no punishment could be inflicted on him. In May two young annuity Sioux, who had been hunting westward, brought one of the women (Mrs. Markle) into the agency. They had bought her with their horses and guns, and asked \$500 each as reward, which Agent Flandrau and Missionary Riggs paid,

half in cash and half in a promissory bond of extraordinary character which the traders cashed. This generosity had its intended effect to call out volunteers for the rescue of the other captives. Two capable Christian Sioux were selected, furnished with transportation and plenty of Indian goods and sent out. After six days' march they came upon the dead body of one of the women, and presently learned that another had been put to death. In a camp of Yanktons they found the fourth, Miss Gardiner, and bought her for two horses, seven blankets, two kegs of powder, a box of tobacco, and some trinkets. Only one half of the \$10,000 appropriated by the Minnesota legislature was needed to cover the cost of these rescues.

The Indian authorities, local and national, now resolved to visit Inkpaduta with just punishment, and decided upon the plan of enlisting volunteers among the annuity Sioux to pursue and capture the scoundrel and his band. Few or none offered themselves. Summer came on and 5000 Indians had gathered about the agencies for the annual payment. A number of councils were held, in the course of which the agent threatened to withhold the payments until Inkpaduta had been brought in. This threat had some effect, but presents of blankets and provisions had more. At length, on the 22d of July, an expedition of 106 Indians and four half-breeds was started for the James River country. It returned August 3, bringing two women

and a child as prisoners, but no Inkpaduta. In vain did Major Cullen, superintendent of Indian affairs for the territory, who had come to the Sioux agencies, insist that Inkpaduta should be brought in, and by the Indians themselves, and declare that there would be no payment of money, goods, or provisions till the murderers should be in his hands. The Sioux, although by this time on the verge of starvation, would not stir. They were sullen and defiant. A special agent sent from Washington advised the superintendent to make believe that the Indians had done all they could, and might therefore be paid off. It was late in September when the Indians got their money and goods and marched off to their fall hunts. They had had their way with the agents of the Great Father, and suspected that he was not so powerful as they had been told he was. He had not been able to run down Inkpaduta and his little band. What could he do against the great Sioux nation of many thousands?

The new constitution of Minnesota closed with a supplementary "schedule" of provisions temporary in nature. All territorial rights, actions, laws, prosecutions, and judgments were to remain in force until proper action under state authority. All territorial officers were to continue their duties until superseded by state authority. A referendum of the constitution was ordered for October 13 (1857), at which time all the officers designated by the con-



stitution were to be elected under the existing territorial election law. Every free white male inhabitant of full age, who should have resided in the state for ten days before the election, was authorized to vote. Section four of the enabling act required the United States marshal, so soon as the convention should have decided in favor of statehood and admission, to take a census of the population. This was not completed during the life (forty-two days) of the convention. It being, therefore, impracticable to divide the state into congressional districts, it was made a single district. In the belief that the population must be near 250,000, provision was made for electing three representatives in Congress. The completed census yielded the disappointingly small total of 150,037. Governor Medary and two delegates were made a canvassing board.

While the constitution was acceptable to all, the two parties put forth all possible effort to capture the offices. The canvass showed the vote on the ratification of the constitution to be: Yeas, 36,240; nays, 700. The Democrats obtained a majority of the legislators and nearly all the state and national officers. The candidates for the governorship were Sibley and Ramsey, the former winning by the slender majority of 240 in a total of 35,340. The claim was made that this majority was obtained by irregularities in making the returns, but there was no contest.

The schedule had fixed the early date of Decem-



ber 3 for the assemblage of the legislature, in the expectation shared by all that within a few days thereafter Congress would admit the new state to the Union, and her senators and representatives elect to their seats. A half year, however, was to run by during which Minnesota, as described by Governor Sibley, hung like the coffin of the prophet of Islam between the heavens and the earth. The legislature met, December 2, 1857, and in joint convention, by the close vote of 59 to 49, decided to recognize Mr. Medary as "governor." In his message he recognized the body as a state legislature. Still there was doubt about the legal status of the houses, and there was little desire to undertake business which might turn out to be illegitimate. The Republican members entered formal protests against any legislation. There was, however, one bit of business which the Democratic majority felt could not be postponed; and that was the election of two United States senators. That was virtually settled in caucus. Henry M. Rice, as everybody expected, was nominated without opposition. The second place, for the short term, went, after several ballotings, to General James Shields, who was a newcomer and little known in Minnesota. He had served with distinction in the Mexican War, filled many offices in his former state of Illinois, and served a term in the Senate of the United States. It was a bitter pill for such Democratic wheel-horses as Sibley, Brown, and Gorman

to swallow. Franklin Steele never forgave Rice for failing, as he claimed, to throw the election to him. Shields was everybody's second choice, and the expectation was that his personal influence in Washington would procure many good things for the state.

President Buchanan, for reasons not apparent, did not transmit the Minnesota constitution — the Democratic version — to the Senate till near the middle of January, 1858. A fortnight later the bill to admit was reported from the committee on territories. The same kind of opposition now broke out as had impeded the progress of the Minnesota enabling act a twelvemonth before. Southern senators were loath to see a new Northern state come in, even with a Democratic delegation awaiting admission to both houses. They were also technical and persistent about holding to the traditional custom of admitting states alternately slave and free. It was the turn for a slave state to come in, and Kansas with her infamous "Lecompton" slave constitution was knocking at the door. To give the right of way to the "English bill" admitting Kansas, dilatory measures were successfully resorted to. A debate covering twenty-three pages of the "Congressional Globe" took place on the question whether the Senate would consider the Minnesota bill. That having been agreed to on the 24th of March, days of tedious wrangling followed upon

objections raised by opponents. The election, it was argued, was void for frauds committed; aliens had been allowed to vote; the still incompleted census was farcical; some assistant marshals had destroyed the returns they should have given in; in some instances there was not one tenth as many people found in precincts as had voted. The right of the state to three, two, or even any representative in Congress was questioned. Minnesota was still a territory, and territories had no right to representation in the Senate or in the House, except by a delegate having no vote. There had been no legal convention, it was said, and no legitimate constitution had been adopted by the people. The debate went on till April 8, when, the English bill admitting Kansas having been put through the Senate, the opposition ceased and the Minnesota bill passed with but three dissenting votes out of fifty-two. The palaver occupies nearly one hundred pages of the "Globe." The bill now went to the House, and there the English bill stood in its way till the 4th of May. The pro-slavery opposition at once showed itself under cover of the same objections which had been so tediously debated in the Senate. There had been no proper convention, the election was void for frauds, the territorial legislature in session was presuming to act as a state legislature, and the like. In the course of a wrangle on the matter of alien voting, a Missouri member in a heated moment revealed the actual ground of

the opposition. He said, "I warn gentlemen of the South of the consequences. . . . The whole territories of the Union are rapidly filling up with foreigners. The great body of them are opposed to slavery. Mark my words; if you do it, another slave state will never be formed out of the territories of this Union." There was also an attack on the bill from an unexpected quarter. John Sherman of Ohio introduced a substitute, annulling all proceedings so far had, and providing for a new convention in Minnesota. In his speech he declared there had been no convention, but only two mobs. The number of delegates had been unlawfully raised from 68 to 108. All proceedings under the enabling act, including the election of October 13, were void. A printed letter was circulated among Republican senators and representatives from which Mr. Sherman had evidently derived his allegations. This document came from a Minnesota Republican source and evidenced the desire for an entire new deal. There was ground for hope that in new elections the Republican party might overcome the slight Democratic pluralities. This move on the political chessboard had the effect to rally Democratic support to the pending bill for admission of Minnesota with her waiting delegation. A new election might change its complexion. On May 11 the bill was passed by the vote of 157 to 38. The next day it received the presidential approval, and Messrs. Rice and Shields, who had been living

since December at their own charges, were sworn as senators.

The Senate bill, concurred in by the House, allowed Minnesota but two representatives. Three had been elected and had been waiting for five months to be seated. To eliminate one of these, lots were drawn, and George L. Becker, the best man of the three, was thrown out. The two who had drawn the long straws filed their credentials, and the House committee on elections informed the House that they had no knowledge of a third representative-elect from Minnesota. Two days of ineffective contention over the legitimacy of the elections of the lucky two, Messrs. William W. Phelps and James M. Cavanaugh, followed. The vote to admit stood 127 to 63. The records of debates and proceedings cover 225 columns of the "Globe," of 1000 words each or thereabout.

During the months the Minnesota representatives had been on the anxious bench, the delegate, W. W. Kingsbury, who had been elected on Mr. Rice's promotion to the Senate, had been comfortably occupying his seat in the House. When Messrs. Phelps and Cavanaugh were sworn in, Mr. Kingsbury did not vacate his seat, but claimed the right to represent that part of the Territory of Minnesota west of the Red River line excluded from the state. The Democratic majority of the committee on elections strongly recommended that the claim be allowed, the Republicans dissenting.



The House decided that the portion of Minnesota excluded from the state was a district without government, and not entitled to representation in Congress. The admission of Minnesota wrought the dissolution of the territory, a decision exactly in the teeth of that by which Mr. Sibley had been recognized as a delegate from the rump of Wisconsin Territory in 1848.

So soon as Governor Medary had approved the bill for the election of senators he took his departure and devolved the executive upon Charles L. Chase, the secretary of the territory. Till the middle of winter the legislative bodies of 1857-58 were so uncertain about their legal status that they were chary of multiplying statutes. Then there was a change of opinion, and the members were encouraged to believe themselves true state legislators. Their confidence so stiffened that on the 1st of March they voted to submit to the electors an amendment to the constitution authorizing the state officers-elect to qualify on May 1, whether Congress should have admitted the state or not; and appointed April 15 proximo as the day for the election. It is probably true that railroad interests had to do with this change of heart. As already related, the four companies to which the great congressional land grant had been made over by the previous legislature had not been able to borrow a dollar by hypothecation of their inchoate proper-



ties. There were examples of state assistance in railroad building under like circumstances, by way of lending state credit. The Minnesota companies now asked the legislature for like aid. That body was willing enough, but there stood in the constitution adopted, but yet awaiting approval by Congress, a section forbidding in terms the loan of the credit of the state in aid of any individual, association, or corporation. But the constitution was still in the green tree ; why not amend it for so worthy a purpose ? Accordingly, the accommodating houses presently submitted a second amendment to the electors, to be voted on at the same time as the former. This amendment added to the section forbidding the loan of the state's credit an exception, allowing such loan for the purpose of facilitating railroad construction, to the amount of five million dollars. Such was the beginning of the " five million loan " transaction, which was not closed till near the end of the century, and then in a manner not clearly honorable to the state. The two amendments were passed upon by the electors on the day appointed (April 15). That authorizing the state officers elect to enter upon their duties on May 1 received an " imposing majority," the figures of which have not been found. The officers elect, however, wisely took no advantage of this provision, but awaited the admission of the state. The " five million loan " amendment was carried by the overwhelming majority of 25,023 to 6733. It

was only, as alleged, a "loan of credit." In no conceivable event, the people were assured, could they be taxed to pay in cash the debt nominated in the bonds to be issued.

On May 13 the mail or a private hand brought from La Crosse, Wisconsin, the telegraphic news of the admission of the state to the Union on the previous day. The documentary evidence came some days later, and on the 24th the state officers elected in October, 1857, took their oaths and proceeded to their duties. It lacked one week of nine years since Governor Ramsey proclaimed the beginning of the territorial government.

Three days after the state officers took up their duties there took place within an easy day's drive of the capital the last serious encounter of the Sioux and Chippeways on Minnesota soil. The lower Sioux, who late in 1853 reluctantly retired to their reservations on the upper Minnesota, were wont to return in summer weather in straggling companies to their old homes. They were generally harmless, and the merchants got a little profit on their trade. Shakopee and his band of one hundred and fifty had early in the summer of 1858 come down and gone into camp near the town which bears his name. One of his braves, fishing in the river (the Minnesota) at an early hour, was fired upon. Shakopee's men instantly recognized the sound as coming from a Chippeway gun. They gathered at Murphy's Ferry and, presuming that

the hostile shot came from one of some very small party, they let their women put thirty or forty of them across. They did not suspect that back on the timbered bluff a mile distant there lay in hiding one hundred and fifty or more Chippeway warriors who had sneaked down from Mille Lacs through the big woods east of Minnetonka. They were wary, however, and placed themselves in ambush in a narrow space between two lakelets. The Chippeways, out for scalps, with a boldness unusual among Indians, charged down from the bluff twice or more, without dislodging the Sioux. The day was not old when they gave up the effort and departed in haste for their homes, carrying their wounded and perhaps some dead. Four of their corpses were left to the cruel mercies of the Sioux, who scalped, beheaded, and otherwise mutilated them. Such was the so-called "Battle of Shakopee," May 27, 1858.

## CHAPTER IX

### THE STRUGGLE FOR RAILROADS

ON the 2d of June, 1858, the legislature, which had adjourned March 25, reassembled and listened to Governor Sibley's inaugural address. He challenged investigation into the legality of his election, declaring that he would scorn to hold the position for a single hour if not legally chosen. He commended the schools and the university to the special care of the legislature, exhorting them to regard the donations of public lands to them as sacred. He advised the organization of the militia to the end that the state might protect herself from possible Indian outrages like that of Inkpaduta the year before. He warned the legislature to be careful in their action in regard to banks, which he declared to be a "necessary evil." He deprecated the undue extension of federal interference in the affairs of the states, and, as might be expected from a friend and admirer of Mr. Douglas, pronounced in favor of squatter sovereignty in the territories. He took occasion to record his objection to frequent and trivial amendments to the state constitution, which should "ever remain beyond the reach of temporary and feverish excitement." In no doubt-

ful terms did the new executive give notice to the land grant railroad companies that he should hold them to a strict but reasonable conformity with their obligations. In this adjourned session the legislative bodies had no doubt about their true character as state organs. The senate had its constitutional president in the lieutenant-governor, William Holcombe, and there was a state governor to approve the acts of the houses. In the session, which lasted till August 12, a large body of statutes were enacted, many of them amendatory of territorial laws to suit new conditions. This legislature deserves praise for its diligence and appreciation of the needs of a growing state. Responding to the counsel of Governor Sibley, an elaborate militia law was passed. A provision for the organization of volunteer companies proved three years later to have been wisely planned. The cautions of the executive led the legislature to replace a banking act of many sections, passed by the same body in the previous March, by another more carefully drawn. Educational objects were not neglected. An agricultural college was established at Glencoe, a normal school at Winona, and the unlucky board of regents of the university were authorized to borrow \$40,000 on twelve per cent. bonds. As if distrusting either the good faith or the ability of the four land grant railroad companies, the legislature placed on the statute book a stringent act instructing the governor how to proceed in case of

default by any of them. The hopes of the people of Minnesota in this summer were centred on these land grant railroads. The panic of the previous year had impoverished many of the well-to-do, and left laborers and artisans without employment. Fortunately there was no lack of bread and meat at low prices, because they could not be got to outside markets. Money was scarce and "business" sluggish in the extreme. But there was hope. The building of the railroads would scatter large sums of money, immigrants would flow in, and the good times of '56 would return.

The act of the Minnesota legislature of May 22, 1857, accepting the congressional land grant of March 5, provided, as anticipated by Congress, for the distribution of the lands to these four corporations: —

First, the Minnesota and Pacific Railroad Company, for building a main line from Stillwater through St. Anthony to Breckenridge and a "branch" from St. Anthony to St. Vincent.

Second, the Transit Railroad Company, to build from Winona by way of St. Peter to the Big Sioux River north of 45 degrees north latitude.

Third, the Root River and Southern Minnesota Railroad Company, for two lines; one from La Crescent to a junction with the Transit at Rochester; the other from St. Paul and St. Anthony via Minneapolis, up the Minnesota River, to Mankato and on to the mouth of the Big Sioux.



Fourth, the Minneapolis and Cedar Valley Railroad Company, for a line from Minneapolis by way of Mendota and Faribault to a point on the south line of the state, west of range 13.

The lands were to inure to the companies in installments of 120 sections, upon the completion of twenty-mile stretches of road for the running of regular trains. The constitutional amendment of April 15, 1858, had for a particular object the enabling of the companies to get each its first twenty miles built and receive its 120 sections (76,800 acres). The sale or hypothecation of this land would build an additional stretch, and so on. To make it the easier for the companies so to build, the amendment provided that when any ten-mile stretch should have been graded and made ready for ties and track, the company should receive \$100,000 in the seven per cent. special Minnesota state railroad bonds authorized; and, when any ten-mile stretch so graded should be complete with rails and rolling stock, an additional like sum in bonds. Now these bonds were by no means a bonus; they were to be a "loan of credit," according to the favorite phrase of the day. The companies on receiving them were obligated to pay the interest as it should accrue, and to redeem the principal when due. The most rigorous provisions were made in the amendment itself to secure these liquidations. The companies were required to pledge the net earnings of their several lines, to convey to the state

by deed of trust the first 240 acres of land earned by construction, and to transfer to the state an amount of their own company bonds equal to that of the special state bonds delivered. These company bonds were to be secured by mortgages on all the properties and franchises of the companies. Human ingenuity, it was fancied, could exact no sounder guarantees. While the legislature was still in session in the midsummer of 1858, the companies let their contracts, and the dirt began to fly in a manner very cheering to citizens living along the surveyed lines, who boarded the hands and furnished forage, timber, and other supplies.

But there was trouble with the finances from the start. On August 4 Governor Sibley gave warning (why should it have been needed?) to the companies that he should hold them to a strict compliance with the obligations they had assumed. In particular he demanded that when they came to exchange their company bonds for the special state bonds they must secure to the state a prior lien on their properties and franchises. The companies balked at this, and by their attorneys applied to the supreme court of the state for a mandamus requiring the governor to issue them bonds without such priority. To obtain a construction of the law Governor Sibley waived objection to being governed by the court in a matter within his own official discretion. The mandamus issued. The text of the amendment of April 15 showed no requirement of

priority, and the legislative journals show that efforts to inject such requirement had been vain. The state railroad bonds, issued to the companies as they severally completed their ten-mile stretches of grading, when placed upon the market did not go off like hot cakes. In form they were bonds of Minnesota acknowledging to owe and promising to pay dollars, signed, countersigned, and sealed like other bonds. The faith and credit of the state were pledged in the constitutional amendment to the payment of the interest and redemption of the principal. But the people understood that all this was mere form; the railroad companies, not the state, were to pay. The newspapers industriously circulated this idea. Sixty-seven members of the legislature who had voted for the issue of the bonds signed a published declaration that none of them would ever vote for a tax to pay them. When offered in the New York market they were not wanted, unless by speculative operators at a figure warranting risk. Governor Sibley's personal representations in Wall Street did not increase confidence. He attributed his failure to factious interference of citizens and Republican newspapers.

Construction was resumed with the season of 1859 by contractors willing and able to take bonds in pay, but by midsummer this plan ceased to work. One firm in July was obliged to put up \$30,000 to raise \$8000 in cash. Railroad building ceased, and Minnesota sat in ashes. The surprise and ex-

asperation of the people can easily be imagined. The companies had not followed the course expected of them to complete and put in operation successive ten-mile stretches, but preferred to push the grading for many such stretches and postpone track-laying and other work of completion. This aroused a suspicion that they did not intend to complete any sections, but to secure their \$10,000 per mile, a sum far in excess of the actual cost, and quit. This suspicion was intensified by rumors that the grading had been confined to discontinuous earthwork alone, on the level prairie where it could be cheaply done. These rumors had but slight foundation, but they were accepted as true and to this day there are those who believe them. When the legislature of 1860 met (there was no session in 1859), Governor Sibley in his retiring message informed that body that the four companies had graded 239.36 miles, and had received 2275 one thousand-dollar special state bonds in exchange for an equal amount of company bonds.

The legislature of 1858 has enough to answer for in proposing to the people the consummate folly of offering to sell bonds which they never meant to pay. Of the final act of their session (August 12) it cannot be charitably recorded that it was one of mere folly. As the end of their labors drew nigh in the dog days, it became known that there would be a residue of some \$10,000 of money appropriated by Congress for territorial expenses. It seemed a

pity not to keep that money in Minnesota. After a variety of proposals consuming much time had failed to receive concurrence, the two houses agreed to a compromise by which \$6000 was appropriated for stationery and \$3500 for postage, the members to share equally. Governor Sibley was obliged to give his official sanction to this division; because it was impossible in the last hour of the session to veto the general appropriation bill in which these items had place, but he took occasion to say that he gave a most reluctant consent to the grab.

The banking act passed by the legislature of 1858, on July 26, provided for the issue of circulating notes secured by deposits of public stocks of the United States, or of any state, up to ninety per cent. of the average value of such stock for six months in the New York market. On one of the last days of the session an amending act was passed injecting into the proper section of the bank act the words "or the State of Minnesota at their current value." The intended operation of the clause was that bank-notes might be issued on the security of the special railroad bonds. To obtain a favorable rating by the state auditor a clique of operators traded among themselves in the bonds, in New York city, until they felt warranted in submitting affidavits that their value as ascertained in that market was ninety-five cents on the dollar. The auditor of the state thereupon issued some \$600,000 in notes to fifteen banks depositing the special railroad



bonds. On January 1, 1861, he was obliged to report that seven of them had failed, and that he had sold their bonds. In one case he got seventy cents; in six others, prices ranging from thirty-five cents down to sixteen and a quarter cents.

The Sioux chiefs were so much excited with the money elements of their treaties of 1851 that they probably did not know what they were about when, in the summer of 1852, they assented to that amendment proposed by the Senate canceling the reservation of homes for the tribes on the upper Minnesota and authorizing the President to remove them from the ceded territory. It was, however, deemed best to move the people on to the designated areas, and they were so moved in the season of 1853. It soon came to their knowledge that they were only temporarily encamped there, and must presently move on to some unknown country. Their sorrow and exasperation were intense, and did not abate until they were assured in the following summer that the Great Father, as authorized by Congress, would permit them to remain where they were. They did remain in the sense of maintaining their principal villages on the reserve, but they constantly wandered in bands either toward their old homes or out on the prairies to the west, where buffalo still fed in countless herds. Their agents were much occupied in recalling these vagrants and in chasing the white whiskey sellers who infested the bounda-



ries of the reserve. In 1857 Joseph R. Brown, that notable character whose career intersects the line of our narrative at many points, was appointed Sioux agent. As he was the father of many children born of his Sisseton wife, and had lived and traded among the Sioux for many years, he possessed an influence and a knowledge of Indian character equaled by few. He had no belief that the Indian could be transformed by religion or education in the twinkling of an eye into a fully civilized man, but he knew that he could be induced to take on the beginnings of civilization. His simple plan was to get the savages to live in houses, adopt white man's dress, and do a little planting. In two years he had two hundred men, mostly heads of families, located on eighty-acre farms. They had disused the blanket, put on white man's clothes, and, most notable of all, had had their hair cut short. His "farmer Indians" numbered seven hundred. This was not a large proportion of the seven thousand "annuity Sioux," but the northern superintendent of Indian affairs prophesied that in three years the "farmer Indians" would outnumber the "blanket Indians." The farmers, he reported, had given up their feasts and dances and were living as a "law-abiding, quiet, and sober people." In this reform Agent Brown was assisted by the missionaries, under the leadership of Drs. Williamson and Riggs, who had followed the Sioux to their reservations. The former had organized a society of ambi-

tious young Sioux, under the title of the "Hazlewood republic," the object of which was to encourage respect for law and to teach the art of government. On the accession of the Republicans to power at the seat of government in 1861, Agent Brown's place was needed to reward a laborer in the Republican vineyard, utterly inexperienced in the duties. It is perfectly safe to say that had Brown been left alone there would have been no "Sioux outbreak." When the treaties of cession were negotiated in 1851, the proposed reservations seemed very far away and very ample. The Sioux had hardly got settled before the white man appeared with his whiskey jug and began taking up preëmptions on the neighboring lands. It did not take these adventurers long to discover that the Indians had more land than they needed. Moved by their representations the Minnesota legislature of 1858 adopted a joint resolution instructing her delegation in Congress to secure the reduction of the reservation and the opening of the excluded areas to settlement. In the summer of that year delegations of chiefs of the upper and lower tribes were taken to Washington, where they were induced to consent, in separate treaties, to the sale to the government of all their lands (some eight hundred thousand acres) on the left (northeast) side of the Minnesota River.

At the close of the state campaign of 1859 Alexander Ramsey came to his own. He was elected

governor by a majority which no one could question. At the same time the office of lieutenant-governor fell to Ignatius Donnelly, who for forty years was to be a conspicuous figure in Minnesota politics. This young gentleman had come to Minnesota from his home in Philadelphia in 1856, at the age of twenty-four. He had won no little applause in his native city by some public addresses, a volume of juvenile poems not without promise, and a number of published essays. Breaking out of the Democratic fold along with very many young men of the day, he threw himself heart and soul into the Republican cause. There was no man of his time, certainly not in Minnesota, who could more completely enchain an audience of citizens than Ignatius Donnelly. A speech in the Republican convention of 1859 won him an unexpected nomination, and his election followed. The inaugural message of Governor Ramsey to the Republican legislature which came in with him is a notable document. The persistence of hard times moved him to cut his own salary from \$2500 to \$1500 and to recommend corresponding reductions in those of state officials. By these and other retrenchments adopted by the legislature, the expenses of the state government were reduced by 49.3 per cent. Reminding the houses of the fact that the general government had already bestowed twelve millions of acres of public land and more (an area equal to that of Holland or Belgium), he exhorted them to

the greatest diligence and fidelity in execution of their trust. In particular he urged that the school lands be safeguarded against premature sale, and that all purchase-money coming in from these should be paid into the state treasury to form a perpetual endowment. While his particular scheme was not adopted in detail, his principle was. A surviving contemporary opposed to him in politics has declared that had not Governor Ramsey stood like a rock against multifarious schemes for dissipating the school lands, Minnesota would not have a dollar of school fund to-day. That fund now amounts to nearly \$20,000,000 and will be greatly increased in the future. For this great service the name of Alexander Ramsey should be remembered in Minnesota as long as the state survives.

The incoming legislature had for its most exciting duty that of electing a United States senator in the room of General James Shields, who had two years before drawn the short term. The choice fell on Morton S. Wilkinson of Stillwater, the pioneer attorney of that place. He had coöperated in organizing Republicanism in the territory and had attracted the attention of leaders outside, among them Seward and Lincoln.

This election disposed of, the houses addressed themselves to railroad matters. The state had turned out \$2,275,000 of her "special" bonds, and had for them not a mile of railroad, but only some

two hundred and forty miles of rather slovenly graded road-bed. Governor Ramsey, with the strong common sense which never failed him, urged the legislature to settle the business at once. Though he had a favorite plan, his concern was not for his own plan, but for any kind of a settlement. He warned the legislature that if the vexed question were not settled it would confuse politics and invite corruption. The bonds would be bought up for a song by speculators who would subsidize newspapers, shout repudiation, and pound on the doors of the legislature till that body would be forced by their sheer importunity to satisfy them. But that legislature had come from an exasperated people who believed in their hearts that the railroad companies, and politicians in league with them, had deceived and cheated them. They had never promised, in fact, to pay those bonds, and the takers of them knew that, and were estopped from demanding redemption out of the pockets of the people. The houses appointed a joint committee of sixteen on railroad grants and bonds. Six different reports came in from detachments of this committee. One member, Senator Mackubin of St. Paul, alone proposed the full payment of the bonds. The legislative bodies were as much divided as were their committeemen. All they could agree to after days of discussion was to hang the whole proceeding up by means of two constitutional amendments to be submitted to the electors. One of



these was to expunge from the state constitution the amendment of April 15, 1858, authorizing the "five million loan"; the other, providing for a referendum to the electors of any law for paying off the outstanding special railroad bonds. The vote on the expunging amendment, on November 6, 1860, was: Yes, 19,308; no, 710. The vote on the other amendment differed but little. The ostrich had buried his head and eyes in the sand.

The land grant companies having completely defaulted in all their engagements, there remained for the governor to proceed as required by law to recover to the state the public lands conditionally made over to them. Foreclosure proceedings culminated in the sale to the state of all the franchises, rights of way, property, and privileges of each company for the sum of one thousand dollars. As the electors had by a constitutional amendment declared that the special railroad bonds were no obligations of the state, she was apparently the gainer by the rights of way and the grading done by the companies, but in fact the state was never more than a trustee of the lands. The loss of their properties did not, of course, work a dissolution of the railroad charters, and the companies, or their ghosts, still existed. When the legislature of 1861 was in session they had sufficient influence to persuade that body to give them another lease of life. They had gone down in the common ruin after brave efforts to execute their contracts. By sepa-



rate acts passed March 4, the state released and restored to the four companies severally all their forfeited properties and assets, free from all claims and liens by the state, — this on certain conditions which did not seem hard. Each company was obligated to deposit a guarantee fund of ten thousand dollars, to begin building immediately, and to have ten miles of road in full operation by the end of the calendar year, and certain stipulated mileages in years following. In these Kalends of March there was no expectation that before the grass should be green on the Minnesota prairies a war cloud would have settled over them. It was no time to build railroads on borrowed money. One of the companies, the Minnesota and Pacific (germ of the Great Northern Railway), made its cash deposit and began work. Late in the season it ran the single locomotive, the William Crooks, which it had purchased, over the fourteen hundred feet of track laid from the St. Paul levee to a storage shed. Its ten thousand dollars were forfeit. All the companies having defaulted, the lands, rights of way, and properties reverted to the state.

The desire of the people for railroads did not and could not abate, and there were still adventurous persons willing to risk money for the great prizes lying in the land grants. In the winter of 1862 four new companies were organized, and to them the legislature turned over the grants and rights of way on liberal conditions. The St. Paul

and Pacific Company succeeding to the Minnesota and Pacific, built from St. Paul to St. Anthony, and on October 14 advertised for regular business. In 1863 two companies built forty-six and one half miles, and in 1864 three built forty-three and one half miles. Meantime the special railroad bonds remained in the limbo to which the constitutional amendments of 1860 had relegated them.

Other acts of the legislature of 1860 of less importance, but still notable, were: One changing the existing system of county government by boards of supervisors, elected from the towns, to one of county commissioners, to be elected from districts; another providing for the registration of voters in all precincts; a third replacing the elective board of twelve regents created by territorial law with one of five to be appointed by the governor and confirmed by the senate. The new board succeeded to a melancholy task.

The people of Minnesota had moderated their expectations of an abounding population, but they were still greatly disappointed when the census of 1860 footed up but 170,023 inhabitants, including 2369 Indians. The native born were 113,295, the foreign born 58,278. The great Scandinavian influx had hardly begun. Of the whole number of persons engaged in gainful occupations, 53,426, the farmers were 27,921, dwelling mostly in the river counties and those immediately in the rear. With

her population so widely spread out on the land and that in its virgin fertility, Minnesota was not really poor, in spite of business stagnation, of a high interest rate (two per cent a month), and of isolation from outside markets for half the year. This isolation was, however, mitigated by the completion of a line of telegraph to the cities at the head of navigation, so that "through" dispatches were regularly received in October, 1862. The office in St. Anthony was closed after a few months, and the business men of Minneapolis were obliged to subsidize that of their city.

The conflict in national politics in 1860 was a hot and lively one, not merely between the two great parties, but within the separate ranks. The Democrats had not been so long out of power as to despair of a return. The Republicans had just begun to taste the sweets of office and its emoluments, and were fierce for more. The aspirants were inconveniently numerous and eager. In the caucuses and conventions they competed with almost brutal ardor for nominations, equivalent, in their happy anticipations, to elections. No sooner had the October elections resulted in a Republican triumph than aspirants for federal employment began weaving the combinations which should capture the Minnesota appointments. The friends of Governor Ramsey formed into one camp; the "land office clique" into another. The latter gained a temporary advantage, but did not succeed in their

ultimate purpose of placing one of their number in the United States Senate when the next vacancy occurred. They also failed to get Governor Ramsey, his own logical successor, out of the way by a promotion to the headship of the Interior Department.

The Minnesota Democracy had been steadfast adherents to Senator Douglas, who had earned their support. The delegation to the Charleston convention of 1860, though not instructed, was presumed to be solid for the Illinois statesman. When Senator Rice and another separated and stood by Breckinridge, there were accusations of treason, bribery, and all the crimes in the political calendar. It ought to have been foreseen that Mr. Rice by temperament and interest would be attached to the conservative wing of the Democracy.

As the time for the state election of 1861 drew on, it was so apparent that Messrs. Ramsey and Donnelly would succeed themselves as governor and lieutenant-governor that only the slightest activity was manifested in the campaign. The total vote for governor on October 8 was 8048, of which Ramsey received 6997.

## CHAPTER X

### ARMING FOR THE CIVIL WAR

GOVERNOR ALEXANDER RAMSEY was in Washington on April 14, 1861, the day the Confederate colors were flown over the ruins of Fort Sumter in Charleston harbor. The attack on that work was an avowed act of war. Early that Sunday morning he hastened to the War Department to make a tender of one thousand Minnesota men for the national cause. The offer was put in writing at the request of Secretary Cameron, who was on the point of waiting on the President. Minnesota's tender of a regiment was doubtless the first recorded. It was so promptly accepted that on the next day Governor Ramsey could so telegraph to St. Paul. On the 16th Lieutenant-Governor Donnelly issued the executive proclamation calling for volunteers to form a regiment of infantry to serve for three months. The principal effect of Governor Sibley's ambitious militia organization already mentioned had been to stimulate the organization of independent volunteer companies in the larger towns and cities. These companies were the convenient nuclei of those which filled up the regiment. The arms of those independent companies were some-

what irregularly appropriated. Thirteen days after the proclamation, on April 29, ten companies nearly full were mustered into the service of the United States at Fort Snelling. Governor Ramsey, who was present at the muster, announced his appointments of field officers. Willis A. Gorman, former territorial governor, a regimental officer in the Mexican War, he placed in command. The vigor with which this experienced colonel established and enforced military routine was a surprise to his raw soldiery. They learned later the value of his discipline, which at the first they were disposed to be restive under. Early in May the state furnished black felt hats and black trousers. These, with the red shirts previously supplied, constituted their uniform. Drilling went vigorously on, diversified with sword and flag presentations and some feasting in the neighboring cities.

Some days after the muster, the War Department decided to accept no more regiments for three months, and gave to the men of the First Minnesota the option of enlisting for three years or taking their discharges. A considerable number, many of whom had been more patriotic than judicious, chose the latter alternative, but their places were immediately supplied, and a full regiment was mustered in for three years.

In the early morning of June '22 the regiment was paraded for the last time at Fort Snelling. Chaplain Edward D. Neill offered prayer, made an



address, and gave the Hebrew benediction, "The Lord bless you and keep you," etc. This over, the command embarked for Prairie du Chien, whence it proceeded by rail to Washington. On July 3 it was put into camp near Alexandria and attached to Franklin's brigade of Heintzelman's division of McDowell's army. At the battle of Bull Run the First Minnesota was sent forward alone in support of Rickett's battery to attack the position held by Jackson's brigade without a single skirmisher in advance. The battery had barely unlimbered when all its horses were killed and cannoneers dispersed. The First Minnesota held its ground until forty-two men were killed and one hundred and eight wounded, the heaviest loss suffered by any regiment on the Union side. Thirty were missing, mostly prisoners, among whom were Surgeon Stewart and his assistant, Le Boutillier, who remained on the field attending the wounded. The regiment did not leave the field till ordered off, and marched "in perfect order" to Centreville. From that point to Alexandria its ranks were broken by the rabble of men and vehicles which thronged the road. In a compendious work it is impossible to follow in detail the career of this splendid regiment and those later sent out from Minnesota. It shared honorably in the operations of the Army of the Potomac in the season of 1862. At Antietam, holding its ground after both flanks had been uncovered, the First lost one hundred and forty-seven

in killed and wounded. The company of Minnesota sharpshooters (the Second), added to the regiment after the battle of Fair Oaks, had twenty out of its forty-two men present shot down in that action.

After the organization of the First Regiment out of existing state militia, other militia companies remained over, equally desirous for a part in the war for the Union. When Governor Ramsey called for a second regiment on the 14th of June, 1861, the response was immediate. Before the end of July the Second Minnesota Infantry had been mustered in at Fort Snelling, uniformed and supplied. It received as commander Colonel Horatio P. Van Cleve, a graduate of the United States Military Academy, who had resigned from the regular army after some years of service. On October 14 the regiment left Fort Snelling, without patriotic exercises, for Louisville, Kentucky, where it joined Buell's army. At Mill Springs it behaved with coolness and gallantry, suffering a loss of twelve killed and thirty-three wounded. The whole remaining season of 1862 was occupied with laborious marches between the Ohio and Tennessee rivers, with occasional minor engagements. It was present at Shiloh, Corinth, and Perrysville, where its losses were nominal.

The Third Minnesota Infantry was called for on September 18, before the Second had gone to the front. The companies were promptly recruited by aspirants to commissions, and the organization

was complete by the middle of November. For its colonel Governor Ramsey selected Henry A. Lester of Winona, who had made a creditable record as a captain in the First Regiment. In a few months he brought the command to a high state of discipline, and by his personal qualities gained the complete confidence of officers and men. In April, 1862, the regiment was sent to Murfreesboro', Tennessee, a point of some strategic importance, thirty miles southeast of Nashville, and was there in July when the Confederate cavalry leader Forrest was raiding thereabout to delay the movements of Buell. The covering force was a small brigade in two separate encampments. A Michigan infantry battalion of five companies and two cavalry troops were stationed to the east of the town, the Third Minnesota about a mile and a half northwest on the Nashville pike. No intrenchments seem to have been constructed. At an early hour of July 13 Forrest's advance brushed away the cavalry outposts, captured the brigade commander in his quarters in the village, and fiercely attacked the Michigan men. It was not till noon, however, that he was able with his main force of more than one thousand men to compel their surrender. At the sound of the firing, Colonel Lester got his command under arms and placed them in a good position for defense not far from his camp, and there he held his men while the forenoon wore away with the sound of battle in his ears and the smoke

rising from the burning warehouses in the town. The barest show of attack was made on his front, but Forrest in person led a considerable party around his flank to attack his camp, defended by Corporal Charles H. Green with twenty teamsters, convalescents, and cooks. It took three charges, Forrest leading the last, to rout and capture the little band. The gallant corporal died the same day, of his wounds. Soon after one o'clock P. M. the adjutant of the Michigan battalion came out from the town under flag of truce and safeguard to summon Colonel Lester to the presence of his colonel. In the interview which succeeded, the surrender of the Minnesota regiment was recommended. Returning to his command, Lester summoned his officers to a council. On an open vote the majority was for fighting. Two company commanders then left the council. The colonel, not content with the open vote, proposed a ballot. The result was five to surrender, three to fight. In the minority were Lieutenant-Colonel Griggs and Captain C. C. Andrews, both of whom became regimental commanders. It may be said in mitigation of the action of some of the company commanders voting for surrender, that as they held their offices by election they felt bound to act in a representative capacity and not according to their own judgment. The end of it was the unconditional surrender of the Third Minnesota without having been seriously attacked. The enlisted men were paroled and sent

to Benton Barracks, St. Louis. The officers were paroled at Richmond after three months. On December 1 President Lincoln discharged dishonorably all those who had voted for the surrender.

The Fourth Minnesota regiment was called at the same time as the Third, but for service on the Indian frontier. The muster began October 2, and was complete before the close of the year. For colonel Governor Ramsey chose John A. Sanborn, his adjutant-general, as yet inexperienced in warfare, but his appointment was later abundantly justified. Two companies were sent to Fort Ridgely and two to Abercrombie to overawe the restive Sioux. A fifth company went to Fort Ripley to insure the good behavior of the Chippeways. The remaining five companies spent the winter of 1862 at Fort Snelling, where they were thoroughly instructed. On April 20, 1862, the Fourth Regiment, its absent companies having been recalled to Fort Snelling, embarked for the South. It reached Halleck's army in May in front of Corinth, Mississippi, in time to partake in the siege which the enemy terminated by a timely evacuation. After some months of inaction, during which one third of its men got into the hospital, the regiment participated gallantly in the affair at Iuka on September 18, losing three killed and forty-four wounded. At the battle of Corinth, October 3 and 4, the Fourth was actively engaged, with the surprisingly small loss of two killed and ten wounded.



The muster of the Fifth Minnesota began December 19, 1861, and was completed on the 29th of March following. Three companies were sent to the frontier forts to relieve companies of the Fourth called in. To encourage recruiting Governor Ramsey proposed to appoint to the field and staff positions such gentlemen as the line officers should nominate to him. For colonel their choice fell on a gentleman, German born, who had seen service in the Prussian army. The experience of a few months proved to him and his friends that a mistake had been made. Lieutenant-Colonel Lucius F. Hubbard, afterwards governor of Minnesota, succeeded and held command until assigned to a brigade. Leaving behind the three companies on duty in the frontier forts, the regiment went south in May, 1862, in time to participate in the operations which resulted in the occupation of Corinth, Mississippi. The summer was passed in quiet, diversified by the affairs at Farmington and Iuka. When Price and Van Dorn undertook, on October 3, to dislodge Rosecrans from his intrenched position at Corinth, it fell to the Fifth Minnesota to take a most honorable part in their repulse. Recalled late that night from outpost duty, the men bivouacked in a street of the town. In the forenoon of the 4th, after a furious bombardment, the Confederates assaulted and pushed a column of attack through the Union line near its right. Colonel Hubbard saw the impending danger,



and without waiting for orders threw his regiment on the flank of the Confederate column, broke it into fragments, and drove it back in complete disorder. The batteries temporarily lost to the enemy he retook, and restored the shattered battle line. Such is the willing testimony of Rosecrans himself. Survivors of the Fifth delight to recall the gallant and fearless behavior of their young Catholic chaplain on that field. He is now the Most Reverend John Ireland, Archbishop of St. Paul, known everywhere for splendid services in church and state.

In addition to the five infantry regiments recruited under the calls of 1862, five minor organizations were formed, one of which, the Second Company of Minnesota sharpshooters, has been mentioned. The First Sharpshooters were mustered in at Fort Snelling, October 5, 1861, and sent to Washington to become Company A of the Second Regiment of United States Sharpshooters. That command participated in the battles of second Bull Run, Antietam, and Fredericksburg, doing effective work with its Sharps rifles. The Minnesota company had ten wounded at Antietam.

Brackett's Cavalry Battalion of three companies, to which a fourth was added January 1, 1864, was recruited in the fall months of 1861, and remained in service till May, 1866. The command, by services appropriate to its arm, contributed not a little to the victories of Fort Donelson, Shiloh, and

Corinth. It accompanied Sully's Indian expedition to the upper Missouri in 1864, and took part in the battle of Killdeer Mountain. Stationed on the right of the line, the battalion checked a fierce flank attack, which it followed with a gallant counter-charge, inflicting heavy loss on the savages.

The First Battery of Light Artillery was mustered in at Fort Snelling, November 21, 1861, and sent south in midwinter to join Sherman's division at Pittsburg Landing, Tennessee. In the battle of Shiloh, April 6, 1862, this battery, forced back with Prentiss's routed division, united in the heroic stand at the point known as "the hornet's nest," which held back the enemy's advance till Grant's disordered regiments could be formed for final and effective defense. Captain Emil Munch had his horse shot under him and was severely wounded. The Second Light Battery was not accepted till March 21, 1862. Its commander, Captain William A. Hotchkiss, had seen service as an artilleryman in the Mexican War. At Perrysville and Stone River this command played a gallant part, fortunately with small loss.

The passage of the enrollment act of April 16, 1862, indicated an expectation that to reestablish the authority of the government over all its territory, an increase of the army would be necessary, and that the raising of new troops might not be left to the pleasure or convenience of the states. On the day of McClellan's escape to the James River

(July 2) President Lincoln called for 300,000 volunteers. Minnesota's quota was 5362. On August 4 this call was followed by an order for drafting 300,000 men from the loyal states. Volunteering, which for some months had gone but languidly forward, revived. Public meetings were held in all the towns; bounties were offered by citizens and municipal bodies; splendid examples of patriotic sacrifices were set by men who could ill afford them, and could ill be spared by the communities. The actual recruiting was mainly done by gentlemen who were promised commissions in consideration of their services. The distribution of the quotas to counties and towns really set the whole people at work, with the result that before the harvest was over five new regiments, the Sixth, Seventh, Eighth, Ninth, and Tenth, were substantially filled. However, it was not till November 19 that the announcement could be made that every local quota had been filled and that all danger of the draft, from time to time deferred, was averted. The immediate employment of all these regiments was, as we are to see, far different from the expectations of the recruits. The appointments to the field and staff positions were no easy task for Governor Ramsey. It was well known that he would desire the legislature of 1863 to elect him to succeed the Hon. Henry M. Rice as United States senator, and that another aspirant was at least equally desirous. His personal admirers urged him to distrib-

ute the military "plums" in a way helpful to his political success. His political opponents were prophesying that he would certainly do so, and charged him with selfishness, heartlessness, and disregard of experience. To the head of one regiment he appointed William Crooks, an experienced civil engineer, who had been two years at West Point and was his political opponent. For three other regiments he took Lieutenant-Colonels Miller, Wilkin, and Thomas from the First, Second, and Fourth Minnesota regiments respectively.

## CHAPTER XI

### THE OUTBREAK OF THE SIOUX

WHILE the whole people of Minnesota were striving night and day to fill up the new regiments with volunteers to reinforce the national armies, there was trouble brewing within their own boundaries. The reader will have observed that small garrisons had been and were still maintained on the Indian frontiers. There was one at Fort Ripley, below Crow Wing, to protect the Chippeway agency; there were two on the borders of the Sioux reservations. Of these one occupied Fort Ridgely, situated on the north bank of the Minnesota River in the extreme northwest corner of Nicollet County. It was begun in 1853 when the lower Sioux were arriving on their reservation. The garrison had for its purpose the support of the authority of the government agents thereon. Another post had previously been established on the west bank of the Red River, some fifteen miles north of Breckenridge, chiefly for the purpose of protecting the Red River trade, carried in hundreds of single ox carts, from depredations of both Sioux and Chippeways, whose hunting parties waylaid not only one another, but the white man's caravans. Fort Aber-

crombie, although at some distance from the upper reserve, was near enough to keep the upper Sioux aware of the Great Father's power. Although called forts, no one of the three was in any sense a strong place. Each consisted of a group of detached buildings standing on the open prairie. The lapse of years in quiet seemed to justify the assumption that it would be a useless thing to form a proper inclosure and fortify it.

The Minnesota Sioux betook themselves to the reserves designated in the treaties of 1851 in no comfortable frame of mind. They believed that they had been obliged to abandon their ancient homes for an inadequate compensation, and that government agents had conspired with the traders and half-breeds to cheat them of money promised to be paid to their chiefs. Two years passed before they were assured by act of Congress that they would be allowed to remain in Minnesota and not sent to some far-off unknown country. The treaty commissioners of 1851 congratulated the government on the establishment of a policy of "concentration," under which the Indian would be induced to abandon the chase and get his living from the soil. The Pond brothers, foreseeing that this policy was premature, decided not to follow the tribes among whom they had labored to the reservations. Concentration of wild Indians averse to cultivation only gave opportunity for unceasing grumbling in council over the general rascality of the white man,



the tyranny of the agent, the immorality of his employees, the extortions of the traders, and the imbecility of the missionaries, who worked for nothing.

In the buffalo season these Sioux swarmed out into the Missouri valley to make boot upon the still countless herds. At times some wandered back to their old homes below. The reservations, while ample in area for eight thousand Indians, were in shape ridiculously ill-adapted for concentration. Originally they formed a "shoestring" one hundred and fifty miles long and twenty miles wide. That width had been reduced by the treaties of 1858 to ten miles. There was no privacy for the Indian. An easy morning walk took him to the boundary, where the accommodating white man met him with a keg of illicit whiskey. This opportunity for "business" doubtless had no little effect in attracting settlers to the lands fronting on the reservations. The citizens of Brown County in 1859 publicly denounced the criminal practice, and the county commissioners offered a reward of twenty-five dollars for evidence leading to conviction in any prosecution. While generally harmless, the Indians annoyed the settlers by untimely visits for food, and occasional thefts of horses and cattle.

The treaties of 1858, already mentioned, ceding those parts of the two reservations lying north of the Minnesota River, were negotiated with a few selected chiefs carried to Washington so that they

might not be restrained by the discussions of the braves in council. This was a source of suspicion, which turned out to be well grounded. The consideration for the ceded lands was in part additions to annuities, in part moneys to be paid as the chiefs in open council should direct. There was long delay in securing the ratification of the treaties by the Senate, and necessary ancillary legislation from Congress. Three years passed before the final payments. The lower Sioux found but \$880.58 coming to them from their "hand money," instead of \$40,000. The consent of the chiefs to this division of moneys to traders and others was obtained in a surreptitious, not to say dishonest, manner. The upper Sioux were sufficiently, but not so extensively, plundered. From the time of their removal to the reservations up to the opening of the Civil War, the annuity Sioux were nursing their wrath against the deceitful and greedy white man. At the same time they were becoming distrustful of the power of which he boasted. When the Great Father had no cavalry to chase Inkpaduta, but was obliged to hire Indians to make that fruitless pursuit, the Sioux inferred that while he had a great multitude of people he could not make soldiers of them. A veteran missionary recorded the opinion that the failure of the government to pursue and capture Inkpaduta was the "primary cause" of the uprising which came five years later.

The exchange of the garrisons of regular troops

at the forts for raw volunteers was to the Sioux a sign that the Great Father was in trouble, and the dispatch of raw men to help defend his country confirmed this view. Through the traders and half-breeds the Indians were kept informed of the repulses suffered by his warriors at Bull Run, Ball's Bluff, and elsewhere. Nowhere could gossip spread more speedily than in an Indian village, where gossip was the business of the braves when in camp. It is in evidence that the strong "Copperhead" element among the traders and half-breeds did not conceal their satisfaction over the defeat of loyal troops and their belief that the Great Father was going to be "cleaned out."

The winter of 1861-62 was unusually severe. When spring opened food was scarce in all the villages. The Sissetons had eaten all their horses and dogs. The farmer Indians had in the previous summer been so badgered by the unregenerate of their own bands, and by the visiting Yanktonnais of the plains, that their industry had relaxed, and they had but little food to spare. The "payment" was accordingly looked to with unusual eagerness. According to custom it should come as soon as the grass of the prairies should be fit for pasture. Spring ripened into summer, but the agents' runners did not bring the welcome summons to the villages. The upper Sioux, tired of waiting, came in to the agency at Yellow Medicine in the middle of July to the number of four thousand, and with

them came one thousand Yanktonnais, literally on the edge of starvation. The agent supplied some flour, pork, lard, and sugar and told them to go home. He would call them when he was ready. But the savages did not depart. In a fortnight they had consumed the rations and were again hungry. The agent declining to furnish more, an armed mob of several hundred warriors surrounded the government storehouse, surprised the little guard of infantry, broke the locks and bolts, and carried off one hundred sacks of flour. Making a virtue of necessity, the agent, after a talk in council, agreed to issue all the provisions and annuity goods, on condition that the Indians would depart and stay away till called. Trouble with the upper Sioux was thus tided over, but their respect for the Great Father's power was not increased by the forced compliance of his agent.

There was less want of food in the villages of the lower Sioux, but there was enough to cause distress and desire for an early payment. The agent had no advices. He could give no reasons for the delay of the money. The traders assumed to know more than he, and with a fatal blindness teased the Indians with suggestions that the Great Father had spent all his money and had none left for his red children. As the Indians were heavily in debt to them, they began refusing further credits. Among the rumored reasons for the delay of the money, the one most accepted was that the govern-

ment officials were allowing friends to use it in speculations on supply contracts. The fact was that the Indian appropriation of 1862 was not passed in Congress till July 5. The gold was drawn from the treasury on August 11, and was at once dispatched to the west. It was brought to Fort Ridgely at noon on August 18.

- The lower Sioux did not assemble and raid the warehouses, but resorted to a less riotous procedure. On the warpath or the hunt it was Indian law that a kind of provost guard composed of active warriors should maintain order on the march and in bivouac. It was called the *Ti-yó-ti-pi*, or "Soldiers' lodge," had a large discretion, and exacted instant obedience. A modified soldiers' lodge was now set up (June, 1862) on the lower agency, attended by one hundred and fifty warriors. In its frequent councils all the grievances of the past and present were rehearsed, and schemes for redress broached and discussed. Evidence is wanting to support the assertions of contemporaries that in this soldiers' lodge there was concocted a definite scheme of murder and pillage to be carried out later. Possibly some braves, more patriotic than judicious, pictured the consequences to the cowardly white man if the great Sioux nation should launch its hosts against his undefended farms and villages. But the oratory of the lodge fed fat the ancient grudge of the red men and added to their chronic exasperation. The dog days drew on, but there was



no outward sign of insurrection. Although he felt that the Indians were in an evil and turbulent state, Agent Galbraith did not think it injudicious for him to leave his people in charge of his assistants and go off to New Ulm with a batch of forty-nine volunteers for the army on the afternoon of August 15. The same day he had passed through some of the villages and had conferred with Little Crow about the brick house he was to build for that chief. Two days after that, Crow attended morning services in the Episcopal mission chapel, and gave no sign of excitement or enmity.

But for an unforeseen incident the peace might have lasted another day, and lasting that other day, on which the annuity gold arrived, might not have been broken by the bloodiest Indian war of the American continent. On Sunday, August 17, 1862, a party of Sioux from Rice Creek were hunting in Meeker County for deer, and, if chance should offer, for Chippeway scalps. Early in the afternoon, in Acton Township, Meeker County, a detachment of these hunters, four or more in number, coming to a settler's cabin, where three families were assembled, wantonly murdered five out of eleven persons. The motive for this crime is not easy to conjecture. The houses were not plundered nor fired. The evidence that the savages were drunk has not been found. There may be some value in the story that the first shot was fired by a young man who, having been twitted by his companions with cowardice,



wished to show them that he dared shoot a white man.

Seizing a team and wagon of a neighboring farmer, the scoundrels drove furiously to Shakopee's village, some ten miles above the lower agency. Upon their arrival late at night a council of warriors was called. The high connections of the murderers did not relish the idea of turning them over to white man's justice to suffer a death signally ignominious to Indians. There was but one alternative, to treat the killing of the afternoon as an act of war, and call the nation to arms. After an outburst of patriotic eloquence this course was resolved on, and as soon as the braves could arm and mount, they moved toward the agency under the lead of Shakopee, who was no lover of the whites. The party arrived at Little Crow's village, two miles above the lower agency, at daybreak, and arousing that chief from sleep, explained the situation.

Little Crow was the fifth Medawakanton chief who had borne that name, given in French (*Le Petit Corbeau*) to an ancestor who wore on his shoulders the skin and feathers of a crow. Although in temporary disgrace for connivance in the extortions of the traders under the treaties of 1858, he was still the most experienced, virile, and eloquent of the chiefs. White men who knew him still praise his good sense and kindness of heart in ordinary relations. It seems to be true that in the

soldiers' lodge he had counseled against anything like war on the white man, whose resources his journeys to Washington had revealed to him. But Little Crow was a heathen Indian. The dogs of war were loose, and the leadership was his if he would have it. He could recover his lost prestige, and show his people that he was as brave in war as he was eloquent in council. Vanity and ambition triumphed. "It must come," he said. "Now is as good a time as any. I am with you. Let us kill the traders and divide their goods." By seven o'clock Little Crow had possibly two hundred warriors, armed and painted, surrounding the agency, with small parties distributed about the warehouses and dwellings. Upon signal, fire was opened on all the whites in sight. Five fell dead and many others were wounded. Fortunately the eagerness of the savages to loot the stores distracted them from killing, and gave opportunity for the survivors to gain the cover of the thickets in the river-bottom. So soon as the plunder of the traders' goods was done, small parties of warriors were detached to raid the neighboring farms and settlements. These, on that day and the next, spread themselves over the parts of Brown and Nicollet counties next to the river. The white men encountered were mostly killed, and the women taken captive with their children; but some of these were butchered when they delayed the march. The dwellings and grain stacks were fired, the farm wagons seized and loaded with plunder were driven

into Little Crow's village. By ten o'clock in the forenoon refugees from the lower agency had reached Fort Ridgely. That work was garrisoned by Company B of the Fifth Minnesota Infantry, commanded by Captain John S. Marsh, who had been promoted out of a Wisconsin regiment which he had joined because too late to be enlisted in the First Minnesota. His first act was to send a mounted man to overtake and recall Lieutenant Timothy I. Sheehan, who had at an earlier hour marched for Fort Ripley with a detachment of C Company of the same regiment. Putting forty-six of his men in wagons, mounting himself and his interpreter, Peter Quinn, he took the road to the agency. Six miles out from the fort he came to burning houses and mutilated corpses by the roadside. Refugees warned him that there was trouble ahead. Pushing on, he reached the ferry abreast of the agency, and formed his men in line in readiness to cross. A signal shot rang out and a volley of bullets laid several of the soldiers low. A moment later another volley came from Indians concealed on the right of the road by which the detachment had arrived. After a brief contest, in which half of his men had fallen, Marsh led the remnant to the cover of the thicket on his left. Observing a body of Indians moving to intercept his party, he decided to cross the river, supposing it to be fordable at that point. Wading into deep water he was drowned, in spite of the efforts of three brave men to rescue him.

This was the "Battle of Redwood Ferry." Twenty-three soldiers were killed and five wounded. Captain Marsh had been drowned, and Interpreter Quinn's body had been riddled with bullets at the first fire. The survivors straggled into Fort Ridgely in the course of the following night.

Tuesday the 19th was occupied by the savages in other and more distant raids for robbery and slaughter. In the afternoon a demonstration by a body of one hundred and fifty Indians, more or less, was made on New Ulm. This was successfully resisted by the organized townsmen commanded by Captain Jacob Nix. One young woman was killed by a random shot, and a few other persons, including Captain Nix, were wounded. A few buildings were fired. Later in the afternoon, in the evening, and in the night, help came from St. Peter, Mankato, and other towns.

The "outbreak" was begun and mainly carried on by the lower tribes, the Medawakantons and Wah-pé-ku-tes, in spite of the fact that the Acton murders were done by members of an upper band. It was late in the afternoon of Monday the 18th when the upper Indians, the Sissetons and Wahpetons, hearing of the news, went into council on a hill near the Yellow Medicine agency, twenty-five miles distant northwest of the scene of the morning carnage. John Other Day, a Christian Indian, and Joseph La Framboise, a half-breed, informed the white people resident at and about the agency,

already wondering over the mysterious council, of the outbreak below and collected them, to the number of sixty-two, in the government stone warehouse.

There they passed an anxious night. After midnight a trader's employee came in mortally wounded. At daylight a bookkeeper of another was killed and a clerk painfully wounded. The upper Indians were keener for plunder than for blood. Collecting wagons for the women and children and the wounded, the party left their shelter, forded the river, and under the faithful guidance of Other Day made their way across country to Hutchinson. Friendly warning given late on Monday to the missionaries, Williamson and Riggs, residing a few miles above the agency, enabled them to escape with their families and assistants, forty-five in number, to safe hiding in the river-bottom, from which they began the next day their journey to Henderson.

Sporadic killing, plunder, and devastation in the regions adjacent to the agencies mostly ceased by Tuesday night. Small parties of savages, however, escaping from the control of the chiefs, spread themselves to distant settlements to revel in carnage and fire. Within a week there were murder and pillage in Meeker County, forty miles to the northwest of the agencies, in Murray County, fifty miles to the southwest. Two persons were killed at Sioux Falls, one hundred miles away, and four near Breckenridge, one hundred and sixty miles as the



crow flies. Fort Ridgely, Hutchinson, Forest City, Glencoe, and even St. Peter were threatened, but not attacked.

These forays had their natural and intended effect. As the tidings of Indian butchery spread, the settlers loaded what furniture and provisions they could in their wagons, and driving their stock before them, made their way to the "river towns." An area two hundred miles long from north to south and fifty miles in breadth was depopulated, while the harvest awaited the reapers. Their flight was all the more precipitate because of rumors that the Winnebagoes had broken out along with the Sioux, and that the Chippeways were to close in from the north. No small number of persons went back to their former homes in other states. The occasional appearance of small parties of Indians out for cattle-stealing and other robberies for a month after the outbreak justified all the fears of the fugitives. On September 22 two children were killed within fifteen miles of St. Cloud, and the little village of Paynesville was fired. A small number of persons ignorant of the country, and not way-wise, wandered about for weeks before finding settlements. Hundreds of settlers in the Missouri valley went to Sioux City and other towns.

To what extent the upper Indians participated in these raids and in the several battles it is difficult to determine. They were quite as much exasperated and were more turbulent than the lower



bands. That some of their leading chiefs and braves sympathized is known to be a fact, and it cannot be doubted that many individual members participated in the murders and the war which ensued.

## CHAPTER XII

### THE SIOUX WAR

IT was not till Wednesday the 20th that Little Crow could muster and hold together a body of warriors sufficient to undertake regular warfare and carry out a well-laid plan to capture Fort Ridgely. He was aware, of course, that its little garrison had lost its commander and fully half of its men. He probably did not know of the arrival of two reinforcements: one, Sheehan's detachment recalled by Captain Marsh before beginning his fatal march; the other, the party of recruits, enlisted at the agencies and taken by Agent Galbraith as far as St. Peter. They took and kept the name of "Renville Rangers." The information brought to Agent Galbraith at St. Peter on the evening of the outbreak indicated Fort Ridgely as the point where his recruits would be most needed. He had therefore led them thither at daylight of Tuesday, armed with some Harper's Ferry muskets belonging to a local militia company. He had to give bonds to the exacting custodian. What with these troops and with male refugees from the agencies and the surrounding farms, Lieutenant Sheehan, the ranking officer, had not more than one hundred and

eighty combatants. Upon the withdrawal of the regular garrison the year before, six pieces of artillery of various patterns had been left behind with Ordnance-Sergeant John Jones in charge. Of this the Indians may not have been informed. The so-called fort consisted of buildings grouped on the sides of a square of three hundred feet, one of them of stone. Outside were small log houses for civilian employees, stables, and stacks of hay and grain. The site was on the bluff separated from the river (Minnesota) by a bottom a half mile in width. Ravines of erosion cut the hillside into excellent places of approach and cover.

Without warning, at one o'clock on Wednesday afternoon a volley was poured into the central inclosure. Two soldiers fell, one dead, the other badly wounded. One citizen was killed soon after. The fire was returned from such points of advantage as the structures afforded. Sergeant Jones had already made up three gun detachments, partly from citizens who had seen service and partly from soldiers whom he had instructed. It was not long before he had his guns in action, to the great surprise of Little Crow, who presently drew off his men. Thursday was a day of rain, and seems to have been spent by the Sioux chiefs in consultation and in preparing for a stronger assault. The time was well spent by the besieged in fitting ammunition, building barricades of cordwood, covering roofs with earth, and other practicable strengthening of defenses.

At one o'clock P. M. of Friday, Little Crow delivered his main attack, with a force largely increased, on the south and west of the post. From the cover of ravines he kept up a lively fire till late in the day. His last move, unusual in Indian warfare, was that of massing a body of warriors in a ravine running up toward the southwest angle of the inclosure, for a charge on the garrison. Sergeant Jones thereupon had his twenty-four pound cannon pointed down that "coolie," and landed a single shell which sent Crow's warriors flying off the field. In the two half days' fighting there had been three persons killed and thirteen wounded within the post.

As refugees, many wounded, came pouring in to New Ulm on Monday, the need of outside help was felt and no second thought was necessary to suggest the one man to whom the townsmen should appeal. Charles Eugene Flandrau, for many years resident at old Traverse des Sioux, who had been Sioux agent, member of the constitutional convention, and a judge of the state supreme court, was the best known man all up and down the Minnesota valley. His name was a household word. At four o'clock on Tuesday morning a messenger brought him the summons of the people of New Ulm. Riding into St. Peter he found the citizens awake and alert, but without organization. In a public meeting in the courthouse he was elected captain of the relieving party to be formed. About noon a de-

tachment of eighteen mounted men was put upon the road, which arrived in New Ulm in time to reassure the citizens after their repulse of the Indians. Early in the afternoon Flandrau's company marched and was swelled to one hundred and twenty-five men by accessions along the route. It was late in the evening when he arrived. Early on Wednesday morning Captain Bierbauer arrived from Mankato with one hundred men, and other squads came in that day.

In a public meeting Captain Flandrau was promoted to colonel, and proceeded with dispatch and excellent judgment to form a staff, to organize the fighting force, and to fortify a central stronghold for non-combatants. Choosing three blocks of the main street, he threw up barricades across the ends and connected the rear walls of abutting buildings with bullet-proof constructions, and loopholed the walls of the brick buildings. On Thursday parties were sent out to the neighboring hamlets and farms to bury the dead and bring in the wounded.

No Indians appeared on that day or the next. Early on Saturday (August 23) the smoke of scattered fires was seen off to the northeast beyond the Minnesota. Had Little Crow captured the fort, and were his warriors burning the farmsteads? To ascertain, Colonel Flandrau sent over a detachment of seventy-five men, which soon encountered a fire from its left front and was obliged to retreat to the southeast to meet reinforcements

expected from that quarter. Crow's real attack came from the northwest, over the terraced plain stretching along the river above the town. Flandrau had left some three hundred and fifty men, ill-armed and undisciplined. When aware of the approach of the Indians, he moved them out and posted them upon the slope of one of the terraces, with a line of skirmishers to the front. At eight o'clock Crow's warriors in a long line with flanks curved forward moved on in silence till within about a half mile of the line of defenders. Then raising such a shout as only savages can, they broke into a run, firing as they ran. The skirmishers fell back in alarm, and the whole line, spite of the exhortations, polite and other, of Flandrau and his officers, retreated to the barricades. The Sioux did not follow in, but stopped and sought cover in the emptied outer buildings of the town.

The fire returned from the barricades discouraged the Sioux from attempting an assault. Late in the afternoon a demonstration was made below the town by a party, some of which wore white men's clothes. Thus misled, the brave Captain Dodd, second in command, unduly exposed himself and was shot to death. Other weak attempts were made by the persistent Indian leader, which came to naught. Ten of the defenders were killed and fifty wounded. Flandrau estimated the attacking force to be six hundred and fifty in number. Expecting a renewal of the fight on the fol-



lowing morning, Colonel Flandrau ordered the destruction of all buildings outside his fortification. Including those burned by the Indians, one hundred and ninety were destroyed. Indians rarely fight by night; and on Sunday morning they sent in a few long range shots, and the "Battle of New Ulm" was over.

Nearly two thousand people had been confined in the narrow fortified space. The women and children had been huddled in the cellars. Food was failing and sickness breaking out. Their homes destroyed, it was resolved to move the whole population to Mankato, thirty miles distant. On Monday morning they took the road; the women, children, and wounded on wheels, the men and boys on foot, escorted by the extemporized army. The column reached its destination late at night, and the refugees met with a generous reception. The next day, August 26, Colonel Flandrau's force dissolved.

Little Crow had staked everything on his attack on New Ulm. Had he captured the place, and dispersed its defenders, Mankato, St. Peter, Le Sueur, and all the towns in the valley would have been abandoned, and the Sioux would have resumed possession of the fairest part of their ancient country. The Indian commander understood that after this failure there was little hope of success in any offensive movement unless better supported by the upper bands. He therefore broke up his camp be-

low the Redwood and reëstablished it behind the Yellow Medicine. His men burned the buildings at the upper agency, and the mission houses.

The Minnesota legislature in the extra session of 1862 authorized an official count of the victims of the Sioux massacre, but as no citizens could be induced to undertake the service for a per diem of three dollars in paper money, no such reckoning was made. The estimates vary from 500 to 1500. That of Agent Galbraith, made with deliberation, may be accepted: In Renville County, 221; in Brown, 204; in other Minnesota counties, 187; in Dakota Territory, 42; total, 654. His estimate of government property losses is: On the upper reserve, \$425,000; on the lower reserve, \$500,000.

When Governor Ramsey got the tidings of the outbreak of the Sioux in the afternoon of Tuesday, August 19, his knowledge of Indians made it unnecessary to deliberate upon the measures that must be taken, or upon the choice of a proper person to have the command. For that duty he instantly selected his old political opponent, Henry Hastings Sibley, whom he commissioned as colonel and commander of the Indian expedition. Mr. Sibley had maintained his robust and athletic constitution; he knew the whole region of operations, spoke French and Dakota, understood Indian nature, and was acquainted with all the leading men of the Sioux nation.

Early the next morning Colonel Sibley left Fort Snelling by steamer, with four companies of the Sixth Minnesota Infantry. At Shakopee he was obliged to disembark. It was not till late on Friday, August 22, that he reached St. Peter, which was to be his base of operation. Here Jack Frazer, who had escaped from Fort Ridgely, brought him the information that the whole body of Sioux chiefs and braves, probably two thousand in number, were on the warpath. His four hundred raw infantry men would be no match for them, the more because the Austrian rifles furnished them at Fort Snelling were unfit for use. Sending down to Governor Ramsay for reinforcements, with suitable arms and ammunition, Colonel Sibley devoted himself to impressing teams, provisions, and forage, and making other preparations for his campaign. Governor Ramsay in a proclamation issued on the 21st called on the militia of the Minnesota valley and frontier counties to arm and mount and join Sibley's expedition with a few days' subsistence. Companies from the valley towns, from Minneapolis, Faribault, and elsewhere reported. The remaining companies of the Sixth came up with Springfield rifles. On the morning of the 26th the expedition marched for Fort Ridgely. An advance party of mounted men reached the post on the following day, to the joy and relief of the long imprisoned garrison. The main body came up on the 28th and made an intrenched camp outside the fort. To

protect the column from rear attack around its left flank, Governor Ramsey appointed Judge Flandrau colonel, and authorized him to collect and dispose the militia companies coming in from the southeastern counties. He presently formed a line of posts from New Ulm and Mankato up the valley of the Blue Earth and on to the Iowa line.

Yielding to the prayers of refugees in Fort Ridgely, whose relatives were lying unburied about the ruins of their homes or along the roadsides, Colonel Sibley decided to send out a burial party which should also serve as a corps of observation. It marched on the morning of August 31 under the direction of Major Joseph R. Brown, whom Colonel Sibley had attached to his staff. His party was made up of Captain H. P. Grant's company of the Sixth Infantry, fifty mounted men under Captain Joseph Anderson, a fatigue detail of twenty, and seventeen teamsters. The column moved slowly, halting to bury sixteen bodies on the agency road, and at nightfall bivouacked on the bottom near the Redwood Ferry. In the morning Major Brown with the mounted men crossed the Minnesota and scouted through the villages above the agency, to find them deserted. The infantry force buried some twenty bodies of Captain Marsh's men, moved up the north side, struck across the prairie to the head of Birch Coulie, and went into camp on a singularly ill-chosen spot, at which Major Brown arrived at sunset. The wagons were packed in open order, and

the animals were tied to picket ropes stretched between them. Within the circle so formed the party went early to sleep, some in Sibley tents, but most under the open sky. At daybreak they were awakened by a blood-curdling yell and a volley of bullets apparently from all quarters and at short range. Captain Anderson, who had seen service in the Mexican War, ordered his men to lie low and fire at will. The infantry commander, after a vain effort to form his men in line, gave a like judicious order. The savages maintained a murderous fire for an hour, at the end of which ten of Brown's men were killed and forty more wounded, himself included. Desultory firing continued throughout the day, in the lulls of which possible arrangements for defense were made. The bodies of over ninety horses were strung along, and earth, dug up with three spades and one shovel, and with sabres, bayonets, pocket-knives, and tin plates, was heaped over them. The pits thus formed served as good cover for the men who were prudent. At two in the afternoon the boom of a cannon from the eastward gave notice of approaching relief, but night fell and it did not come. The sound of the morning's battle was heard at Sibley's outposts, fifteen miles away. With all possible dispatch he sent a relieving party consisting of three companies of the Sixth Infantry, fifty mounted "Rangers," and a section of artillery, and gave the command to Colonel Samuel McPhail of Houston County. The party crossed the east branch



of Birch Coulie and came within sight of Brown's camp, but the prudent commander did not think it wise to risk his men in a battle. He therefore recrossed the branch, took up a safe position for the night, and sent Lieutenant Sheehan back to Sibley for reinforcements. He reached the fort unharmed, but his horse fell dead soon after from gunshot wounds. By daylight Colonel Sibley reached McPhail's bivouac with the remaining companies of the Sixth and five companies of the Seventh, which had arrived the day before. The Sioux, seeing themselves outnumbered, made but feeble resistance to his advance and rapidly left the neighborhood. When Colonel Sibley rode into the impounded camp thirteen men lay dead, three more were soon to die, forty-five were severely wounded, and others had received abrasions. For more than twenty-four hours the men had lain without water, and they were worn with their ceaseless watch. The "Battle of Birch Coulie" has been commemorated by a monument erected at the expense of the state, in regard to which an unfortunate controversy has raged. Through misinformation the commissioners accredited the command of the expedition to another than Major Joseph R. Brown. To one looking back after the lapse of a generation it would seem that no one would care to be credited with the leadership of the disastrous affair. Colonel Sibley had given the most precise and emphatic directions to guard against surprise and ambush.



Colonel Sibley now had a double problem before him. He must overtake and destroy the Indian forces, and that without giving their commander occasion to slaughter the three hundred prisoners in his possession. It was rumored, probably by Little Crow's instigation, that if attacked he would put these prisoners between his men and the whites. A policy of caution and delay was therefore desirable. It was also necessary for the reason that the command at Fort Ridgely was in no way prepared for war. The men were not yet clothed, the supply of food was insufficient and precarious, and ammunition had not yet been provided in sufficient quantity.

The mounted citizens who had rallied so promptly on Governor Ramsey's call began to disappear as soon as there was "a prospect of meeting the red-skins." In the middle of the month (September 14) Sibley reported to Governor Ramsey that he had but twenty-eight of that "description of force," and would not be surprised at a stampede among them. Elsewhere he speaks of it as "base desertion." These men returning to their homes were able to correct a widespread feeling of dissatisfaction with Colonel Sibley for needless delay in chasing Little Crow to his lair. Some newspapers threw out the vile insinuation that he did not pursue and destroy the Indians because he had so many friends among them.

On the Birch Coulie battlefield Colonel Sibley

left in a split stick this writing for Little Crow: "If Little Crow has any proposition to make, let him send a half-breed to me, and he shall be protected in and out of camp." To this the chief replied in a diplomatic note in which he complained of the agent and the traders, and asked to have Governor Ramsay informed of their ill-doings. He closed it with an adroit reference to the great many prisoners, women and children, in his hands, as if to suggest that Colonel Sibley might desire to make him a proposition. Sibley sent back the curt message: "Return me the prisoners, and I will talk with you like a man." On September 12 Little Crow sent in another letter, in which he harped upon his prisoners, covertly intimating that he would surrender them on guaranty of immunity for himself and associates. He appealed to Colonel Sibley as an old friend to suggest a way to make peace.

The messenger who brought this letter brought also, unknown to Crow, another from Wabashaw, head chief of the lower Sioux, to say that, if Colonel Sibley would appoint a safe and proper place, he and his friends opposed to Little Crow and the war would come in and bring as many of the prisoners as they could assemble. With this leaven working in the Indian camp, Colonel Sibley could well afford to wait for reinforcements, subsistence, and ammunition, his troops in the mean time being drilled by their officers. Despite the insufficiency

of all these, he issued his order for an advance into the Indian country on September 14. A violent rainstorm set in that day, and it was not till the 19th that he was able to ferry his little army across the Minnesota. It had been reinforced by two hundred and seventy enlisted men of the Third Minnesota, paroled after the surrender of Murfreesboro' and sent home to assist in the Indian war. The cavalry force consisted of twenty-five troopers. Three days of easy marching brought the command to a point on the government road between the agencies about three miles south of the Yellow Medicine, where it went into camp behind a small lake and a stream issuing from it, which curving southward emptied into the Minnesota. Little Crow's camp had been opposite the mouth of the Chippewa River since the 10th of September. In the councils there held the leader made the best use of his oratorical gift. He flattered, he implored, he bullied; at length he got the chiefs to consent to a stand against the white man's army. How many of the upper chiefs and their men he prevailed upon to join him is a matter of dispute, but it is certain that some of both did.

In the afternoon of the 22d Crow's army of some seven hundred and fifty warriors left their camps and marched down to the Yellow Medicine. In the following night they were arranged principally in a line on the east of the road, between the river and Sibley's camp. A party was placed in

the ravine through which flowed the outlet of the little lake mentioned, and still another west of the road, behind a hillock on the prairie. On that Little Crow took his stand. Day dawned, and not an Indian was in sight; all were hid in the timber or tall grass of the prairie. It was Crow's expectation that Sibley would take the road, and that he would not have flankers far out from his column. When his advance should be near the Yellow Medicine and abreast of the Indian right it was to be attacked in flank, the party concealed in the coolie would close in on the rear, and that behind the hillock would give the finishing blow. All that might have happened, but for an accident. Some men of the Third Minnesota left the camp with teams to bring in potatoes from the gardens about the upper agency. They passed so near the Indian line that the warriors could not be restrained from firing. One man was killed and others wounded. Major Welch, commanding the Third, got his men into line, and without orders took them forward on the double-quick and precipitated the fight. Although forced to retire from an advanced position, he held the centre firmly. Lieutenant-Colonel William R. Marshall led the companies of the Seventh into the ravine and cleared it. A detachment of the Sixth dispersed a party attempting to turn its left. The battery of Captain Hendricks, advantageously posted, swept the field generally. After two hours of desultory firing the Sioux warriors disappeared

behind the Yellow Medicine, and the "Battle of Wood Lake" was over. Only four white soldiers were killed outright, and thirty-three severely wounded. The Sioux left sixteen dead on the field, all of whom were scalped by savages under white skins. Colonel Sibley, in an order published the following day, expressed his extreme mortification, and threatened severe punishment for any repetition of the brutality. Colonel Sibley's advices from the Indian camps were such as to convince him that a precipitate march on them might bring on a slaughter of the white prisoners. To give time for the friendly element to obtain possession of them he tarried a day below the Yellow Medicine, and took two days of easy marching to reach those camps opposite the mouth of the Chippewa River. His judgment was fully justified. Little Crow returned from the battle, upbraided his chiefs for cowardice and stupidity, took his family and a small body of adherents and departed for the distant northwest. Other hostile chiefs followed his example. There were others still who had been engaged in the murders and battles who thought it best to go over to the friendly camp and take their chances of being treated as prisoners of war. Colonel Sibley had found a camp of 150 lodges which the friendlies had fortified against the hostiles, who on their dispersion had sent over to it the greater number of their captives; 91 whites and 150 breeds were turned over to him on the afternoon of September

26. The total number was presently increased to 269, 107 whites and 162 mixed bloods. A few had been humanely treated through the interposition of Christian Indians, but the experiences of many may be left to the imagination of the reader



## CHAPTER XIII

### SEQUEL TO THE INDIAN WAR

A WEEK after the Wood Lake affair the President appointed Colonel Sibley a brigadier-general. His confirmation by the Senate was long delayed, but he exercised the command of that rank from the date of appointment. Up to the time of leaving Fort Ridgely for the upper country Colonel Sibley had been carrying on a state war. On the 6th of September Governor Ramsey sent this peremptory telegram to the President: "These Indian outrages continue. . . . This is not our war. It is a national war. Answer me at once. More than five hundred whites have been murdered." That very day the Secretary of War ordered Major-General John Pope to take command of the Department of the Northwest. That officer had seen service in the Indian country and was at the time not otherwise employed. His first order to Colonel Sibley was received September 19, the day of his departure from Fort Ridgely. It made no change in the dispositions of the subordinate commander, but urged him to push forward, and promised all the support he could control. General Pope, persuaded that Sibley had some twenty-six hundred Sioux warriors

in his front, made requisitions for troops and supplies on a scale which called out a rebuke from the secretary. His demand for mounted troops rather than infantry was reasonable. His stay in the department was brief, and at its close Brigadier-General Sibley was put in command of a distinct district of Minnesota. That Sibley was thus promoted and assigned was possibly due to a remonstrance addressed by Pope to Halleck against the appointment of Senator Henry M. Rice as major-general to be assigned to the department. It is remarkable that Sibley, writing to his wife, expressed his preference for Rice, if any stranger was to be placed over him. It was not till after the close of the campaign that the Sixth and Seventh regiments were mustered into the service of the United States.

The line of forts maintained by Colonel Flandrau from the big bend of the Minnesota southward effectively protected Sibley's left; and it restrained the Winnebagoes from breaking out of their reserve, if they had any such intention, which was very doubtful, although so believed at the time. The right flank of the expedition was not for some time protected. Here were two dangers. Fort Abercrombie had been occupied since spring by Company D of the Fifth Minnesota, under command of Captain John Van der Horck. A newspaper clipping received on August 20 gave him warning of the outbreak of the lower Sioux. He immediately called in his outpost and the few settlers of the Red

River valley, proceeded to surround the separate buildings which formed the post with breastworks, and placed three howitzers in the salients. On the last day of the month but one a party of Indians stampeded a herd of stock which had been sent out in anticipation of a treaty with the Red Lake and Pembina Chippeways. On September 3 an Indian force, considerable in number, appeared about the post and maintained a desultory fire for some hours. On the 6th a still larger force made a determined but vain attack, charging with boldness unusual for Indians, first one quarter of the inclosure and then another. The command suffered a loss of two killed and three wounded in the two days' actions. The Indians were not driven from the neighborhood till September 23, when Captain Emil Burger arrived from below with a relieving force of five hundred men. The mooted question whether these attacks at Abercrombie were made by upper Sioux, lower Sioux, Yanktonnais, or by a mixture of all these, has not been conclusively answered. The capture of this post would have exposed a wide territory to Indian slaughter and depredation.

A disturbance of the habitual quiet of the Chippeways of northern Minnesota gave countenance to a rumor which spread throughout the state, that those Indians were about making common cause with their ancient foes against the white man, equally hated. On the very day of the Sioux outbreak the Pillagers seized seven whites, mostly traders, at

Leech Lake, and the Gull Lake Chippeways drove some horses and cattle from the agency on the Crow Wing River. The acts and threats made against his safety so alarmed the agent, Lucius C. Walker, that he fled the Indian country for his home, and, probably in a state of temporary insanity, took his life, by means of a loaded pistol, near Monticello. Hole-in-the-day, the head chief of the Chippeways of the Mississippi, called an assemblage of braves, and a few hundred gathered. A trustworthy person, the missionary Emmegabowgh, reported that this chief had declared in council that a league had been made with the Sioux. The Chippeway braves, however, had no desire to take the warpath, and dispersed to their homes. These transactions, reported in the St. Paul newspapers, naturally excited alarm. Three companies of infantry were sent to Fort Ripley, martial law was declared at that post, and the settlers were notified to come in for protection. When the legislature assembled in extra session on September 9, Governor Ramsey called their attention to the Chippeway ruction. Unconcerned about constitutional restrictions, that body appointed a board of commissioners to proceed to the Indian country to adjust the difficulties. Although the Chippeways had dispersed and the excitement had disappeared, the plenipotentiaries had the chiefs assembled in council, and negotiated with them a treaty which was solemnly signed and sealed. This agreement bound the high

contracting powers to eternal peace, to an arbitration of all existing differences, and exempted the Chippeways from payment of damages for the expenses they had put the government to by their late misbehavior. The legislature memorialized the President to carry out these provisions. In evidence of full restoration of peace fifty Chippeway chiefs and braves came down to St. Paul to offer their services in punishing the Sioux. It would have given them great pleasure to take Sioux scalps in so lawful a manner.

Had it been possible to furnish General Sibley with a sufficient cavalry force, it would have been feasible for him, after the battle of Wood Lake, to overtake and impound the greater number of Indians concerned in their disastrous campaign. Infantry expeditions sent out to Lac qui Parle, to Goose Nest Lake, and elsewhere, brought in a few hundred people. More came in response to a proclamation distributed by runners. Bands which had squandered their plunder and wasted their food had no other resource. In the course of a few days nearly two thousand Indians were under guard, the greater part being women and children. Some five thousand or more were at large. The disposition of those in hand now occupied the attention of the authorities. Major-General Pope in a dispatch of September 28 probably voiced the sentiment of the great majority of the white people of

the Northwest. "Make no treaty with the Indians," he wrote Sibley; "the horrible massacre and outrages call for punishment beyond human power to inflict. It is my purpose to exterminate the Sioux, if I have the power to do so." General Sibley was too humane and judicious to give serious regard to so insane a proposal. He had already appointed a committee of inquiry to ascertain what Indians under his guard had probably been guilty of murder and outrage. The Rev. Dr. Riggs, who held the place of chaplain on the staff of Sibley, gave such valuable assistance that Heard, the contemporary historian, declares him to have been a virtual grand jury. Sixteen Indians were at once picked out by the sifting committee and duly arraigned before a military commission of five officers. Additional arrests were made from day to day, and by October 7 General Sibley was able to report that he had twenty under sentence of death, and that he should probably approve the sentences and hang the villains, despite some doubt as to the extent of his powers and the formal correctness of the trials. This moderate number of convictions evidently did not satisfy the superior authority, which called for arrests and trials on a greater scale. On the night of October 11 Sibley placed 81 warriors in irons at Camp Release and ordered a similar "purging" at Yellow Medicine, where he had sent 1250 of his prisoners to subsist on the corn and potatoes of the Indian gardens. By a



“piece of justifiable strategy” 236 men were “fixed” in the same way. The military commission now had abundance of material and applied themselves diligently to duty. They completed it on November 5, having tried 425 prisoners, of whom they found 321 guilty and sentenced 303 of them to death. The proceedings of the military commission, approved by General Sibley, were forwarded to the department commander. That officer informed Governor Ramsey with unconcealed satisfaction that the sentences would all be executed unless forbidden by the President. The trials completed, General Sibley sent the principal body of his Indian prisoners, 1648 in number, under guard to Fort Snelling. The interpreter accompanying the column relates that as it passed through Henderson the prisoners were assaulted with arms and missiles. One infant died from its injuries and was “buried” Indian fashion in the crotch of a roadside tree. On November 9 the troops with the convicted prisoners were marched to South Bend, a western suburb of Mankato. As the column was passing through New Ulm a crowd of exasperated citizens of both sexes showered brickbats and other missiles on the prisoners in such profusion that a bayonet charge was necessary to restrain them. Fifteen or twenty men were arrested, but after a march of twelve miles were reprimanded and allowed to take a walk to their homes. General Sibley turned over the command

to Colonel Miller of the Seventh Infantry and proceeded to St. Paul, to take up his duty as district commander.

The action of the military commission met with general approval throughout the state. Citizens of St. Paul in public meeting demanded that the government authorities, as the chosen instruments of divine vengeance, should so execute their duty that the friends and relatives of the victims should not be compelled to take vengeance into their own hands. General Pope advised President Lincoln that unless all the executions were made, an indiscriminate massacre of all the Indian prisoners, innocent and guilty, would take place. Governor Ramsey also expressed the same opinion to the President. The Minnesota delegation in Congress, Senator Rice not signing, protested against the convicts being considered prisoners of war, and declared that the outraged citizens of Minnesota would dispose of the wretches without law, if they should not be executed according to law. On the other hand, there went to the President appeals and protests against a horrible wholesale execution, from members of the Friends Society and various humanitarian organizations. So far as known there was but one public man in Minnesota whose judgment was not subjugated by the passion of the hour. He was Henry Benjamin Whipple, bishop of the Protestant Episcopal Church, who three years be-

fore the Sioux outbreak had come to the state. Immediately after his arrival his attention was called to the red men of his diocese, and it was not long before he had fathomed the iniquities of the traditional Indian system. In March, 1862, he addressed an open letter to President Lincoln, summarizing those iniquities, and insisting on giving the Indian a government of law, administered by agents chosen for fitness and not for political service. A calm and clear statement of the policy and the train of events which had led to the outbreak of the Sioux, published in the St. Paul newspapers, brought about the bishop a whirlwind of denunciation which would have taken an ordinary man off his feet. Bishop Whipple never budged an inch. His personal representations to the President no doubt had their effect in the action which followed. On the day when General Pope was hopefully awaiting the President's permission to execute the whole batch of the condemned, he received a telegraphic order from Lincoln to send him the record of the trials. This the President put into the hands of two men on whom he relied. They reported that forty of the convicts only had committed murders of unarmed citizens. Of this number, two only were guilty of outrages on women. On December 6, 1862, President Lincoln wrote out and signed with his own hand his order for the execution of thirty-eight, directing the remainder to be safely held, subject to further orders. One

of the forty had been allowed a commutation to ten years' imprisonment, another a reprieve. The condemned were separated from their comrades and closely confined in irons in a stone building on the main street of Mankato. All but two were baptized, thirty-two by the Catholic father Ravoux. On December 26, 1862, the execution took place in presence of a great crowd. Some years after, the Rev. Mr. Riggs publicly stated that mistakes were made in the separation of the condemned from the body of convicts, 'but not intentionally.' The bodies were buried, but not to stay underground. Many, if not all, were distributed among members of the medical profession, to be used in the cause of science. The excitement of the people soon abated, and the opinion at length prevailed that the crimes of the Indians had been sufficiently atoned. Some of the survivors might have preferred the fate of those who suffered at Mankato.

The announcement that the War Department would withdraw some of the Minnesota regiments after the close of Sibley's campaign met with such loud and repeated protests that the order, if issued, was revoked. The three companies of the Fifth, however, joined their regiment in the South at the close of the year, and the Third followed in January, 1863. The remaining infantry regiments, Seventh, Eighth, Ninth, Tenth, and the regiment of twelve companies of Mounted Rangers raised in the fall of 1862, were so disposed as to form a sure

cordon of defense against possible raids by hostile Indians on the settlements.

When Congress assembled in December, 1862, there was little opposition to drastic propositions regarding the Sioux Indians. Acts were passed for abrogating all treaties, forfeiting all lands, annulling all annuities; for the immediate relief of citizens of Minnesota from Indian ravages to be paid out of moneys of the Sioux; for reimbursing Minnesota for the costs of the campaign against the Sioux up to the time (September 5) when the War Department assumed charge; for the removal from Minnesota of all the Winnebagoes and Sioux; and for the survey and sale of their reservations. All these provisions were rigorously executed. The state's Indian war expenses were ascertained to be \$250,507.06, and that sum was allowed in a settlement of accounts. The commissioners appointed to award relief and damages reported that out of \$200,000 allowed for immediate relief they had paid \$184,392 to 1380 claimants. As damages they awarded \$1,170,374 to 2635 claimants. Their awards were liberal, and attorneys for beneficiaries were well compensated.

The removal of the Indians from Minnesota began in April, 1863, with the transportation of the convicts to Fort McClellan in East Davenport, Iowa. They had been kept under guard at South Bend during the winter, where a remarkable work of grace took place among them under the minis-



tration of the veteran missionary Williamson and his devoted sister "Aunt Jane." On February 1, 1863, three hundred were baptized by that evangelist aided by the Rev. Gideon H. Pond. The conduct of these convicts in prison at Davenport was in all respects praiseworthy. They were orderly, and for Indians industrious, and took much comfort in their religious meetings. Dr. Williamson remained with them two years. In 1864 President Lincoln pardoned seventy-five and sent them west to their people. Two years later the two hundred and forty-seven survivors were liberated. One third of the whole number committed died in prison.

The uncondemned Sioux prisoners marched to Fort Snelling in November, 1862, were kept in a guarded camp till May, when they were transported to a chosen reservation on Crow Creek on the Missouri, some sixty miles below Pierre. The land was so barren and the seasons so unfavorable that the government was obliged to feed them for three years, when they were moved to the Niobrara reservation in Nebraska, where they have remained. A small remnant of some twenty-five families of friendlies, many of them Christians, were suffered to remain in Minnesota, because they could not safely live among the heathen people. A small donation of \$7500 was made to them by Congress in 1865, the distribution being intrusted to General Sibley and Bishop Whipple. A handful still sur-



vive. The Sisseton and Wahpeton Sioux, who had removed themselves from Minnesota after the battle of Wood Lake, had no fixed home till 1867, when Congress settled them on two reservations in Dakota Territory: one west of and adjoining Lake Traverse, the other around Devil's Lake.

As for the Sioux who had escaped from Sibley after Wood Lake, and others living on the Missouri regarded as dangerous, there was no other thought than that they must be followed, and, if not exterminated, so punished and scattered that they could never again lift a finger against their beneficent guardian, the white man. General Pope at Milwaukee still commanding the department of the Northwest, early in the winter of 1863 devised a plan for a campaign which was to have such results. Two columns were to penetrate the Indian country between the Minnesota line and the Missouri: one, of cavalry, to move from Fort Randall directly up the Missouri; the other, from the upper Minnesota, under the command of Brigadier-General Sibley; both to move so soon as the buffalo grass should be high enough for pasture. Sibley's expedition rendezvoused at Camp Pope in the angle of the Minnesota and Redwood rivers. He had 3200 infantry, including the Sixth, Seventh, and Tenth Minnesota, the Minnesota Mounted Rangers 500 strong, 120 artillerymen, 170 scouts headed by Major Joseph R. Brown; in

all some 4200 men. Leaving Camp Pope June 16, the expedition marched up the Minnesota to and past Big Stone Lake, and then struck across to the valley of the Cheyenne, which it followed to within two or three days' march of Devil's Lake. Here Sibley got word of a body of Indians off to his left. Leaving one third of his force in a fortified camp, he turned to the southwest, crossed the James River, and in Burleigh County, North Dakota, on July 24, came upon a body of Indians, perhaps two thousand in number.

A colloquy between outposts was taking place, to which Dr. Josiah S. Weiser, surgeon of the First Mounted Rangers, rode up. A young savage, after a show of friendship, treacherously shot him dead. This was the signal for attack. The Sioux, not being on the warpath, were not prepared for battle. Their warriors made the best rear-guard defense they could, to gain time for their women and children to escape. The pursuit by the cavalry lasted till nearly dark. A great quantity of buffalo skins, dried meat and tallow, and camp furniture was gathered and burned. In this "Battle of Big Mound" three of Sibley's men were wounded. Of the eighty Sioux killed and wounded, twenty-one were scalped. Two days later a similar engagement, called the "Battle of Dead Buffalo Lake," took place, with a similar result. The nine Indians killed were scalped, to the disgust of the commander. On July 28 still another affair of the same

character occurred, in which the Indians made a more spirited but unsuccessful resistance to gain time for their people to set themselves across the Missouri, near the banks of which the fight was going on. They lost ten killed, the whites none.

The escape of the Sioux beyond the Missouri was due to the failure of the column sent up that river to coöperate in their capture. General Alfred Sully's cavalry did not arrive, and having no tidings of it, Sibley began his homeward march on August 3. The expedition returned to Fort Snelling on September 13, having marched  $1039\frac{1}{2}$  miles. On the outward journey the commander suffered a severe injury from the fall of his horse, and, far worse, received news of the death of two young children. His diary reflects his deep and natural sorrow.

The movement of General Sully resulted in overtaking the Sioux who had recrossed the Missouri and were hunting in Dickey County, North Dakota. His attack upon them at White Stone Hill, resulting in considerable slaughter and destruction of immense booty, cannot be here related. The results of the operation of 1863 against the Sioux were negative. Nor were those of the following year much more effective. In this campaign General Sully led an expedition from Fort Rice on the Missouri to Fort Union on the Yellowstone, the whole march covering 1625 miles. His column included a Minnesota brigade made up of six com-

panies of the Eighth mounted on Indian ponies, the Second Minnesota cavalry, a new regiment recruited to take the place of the First Mounted Rangers, two sections of the Third Minnesota Battery of Light Artillery, and a company of scouts. Brackett's battalion of three companies of Minnesota cavalry was attached to another brigade. On July 28 the considerable battle of Killdeer Mountain on the Little Missouri River took place. Countless herds of buffalo were met with on this march. As long as these survived, and the Indians could supply themselves with horses and ammunition, no white man's army could surround and destroy them.

To disabuse the reader of the possible impression that the people of Minnesota were more frightened than they had reason to be, he is asked to recur to the season of 1863. To guard the frontier from attacks of marauding parties of Indians, General Sibley left in the state the Eighth Infantry, which had already been distributed in a line of posts to cover the settlements. Despite its vigilant patrols, parties of savages broke through at various points. In April there were three murders in Watonwan County, household goods and provisions were seized, and cattle and horses run off. In June a squad of Company A of the Eighth chased a horse-stealing gang out of Meeker County, one of whom shot Captain John S. Cody, causing instant death. In the course of the summer the Eighth Minnesota lost more men

killed and wounded than Sibley's troops in all his battles. On the 29th of June the most atrocious murder of the season was committed within thirty miles of Minneapolis, near Watertown, Carver County. Amos Dustin, traveling by wagon with his family, was waylaid, and he and his aged mother instantly shot to death by arrows. His wife and one child were fearfully wounded. A girl of six, hiding under a seat, was not discovered. Her clothing was soaked with her father's blood. To aid the troops in protecting life and property, Governor Swift organized a company of volunteer scouts and put them under the command of Captain James Sturgis of Wright County. In addition to their promised pay, the sum of one hundred dollars was offered to any scout bringing in a Sioux scalp. This command scouted the big woods from Sauk Center to the Minnesota River so effectively that people who had abandoned their homes and farms took heart and ventured back.

On the 3d of July, 1863, a citizen of Hutchinson, Nathan Sampson, was hunting some five miles to the north of that village, accompanied by his son Chauncey. Espying an Indian picking berries, he fired. Though wounded, the Indian returned the fire, and hit Mr. Sampson in the left shoulder. A shot from the young man's rifle proved fatal to the savage. That Indian was believed to be Little Crow, and a certain deformity of the wrists from a gunshot in early life was probably sufficient evi-

dence of his identity. A half-starved Indian boy was picked up by a detachment of Sibley's army in North Dakota on July 28, who gave his name as Wo-i-non-pa ; he said that he was a son of Little Crow, and that he was with his father when he was killed. The errand of the chief, according to the boy, was to capture horses enough to mount the small remnant of his warriors and ride away to Canada.

The Seventh, Ninth, and Tenth regiments were dispatched to the South in the fall of 1863 ; the Sixth and Eighth being held till the following season to keep watch and ward against possible and much-feared savage forays.



## CHAPTER XIV

### HONORS OF WAR

THE reader who desires to follow the marches and battles of the Minnesota regiments and battalions is advised to resort to the two large octavos published by the state in 1891. It would, however, be unjust to him and to Minnesota not to give some account, even in a compend of her history, of certain splendid passages in the careers of some of them favored above others in opportunity.

Marching with Gibbon's Division of the Second (Hancock's) Army Corps, the First Minnesota arrived on the field of Gettysburg early in the morning of July 2, 1863, and was placed in reserve near general headquarters. Company L (sharpshooters) was sent to support a battery and did not rejoin till after the battle. In the afternoon a staff officer came and led the command off to the south, along the well-known crest on which Sickles's men had formed and from which they had made their ill-advised advance. On a salient of the ridge near the middle of Sickles's original formation the regiment was placed in support of a regular battery. Company F was sent out to skirmish toward the left front, and Company C was absent on provost

guard duty. Eight companies were in line, with two hundred and sixty-two officers and men. From their position they watched at leisure the vain struggles of Sickles's brigades, exposed to enfilading fires. Near sundown the shattered battalions straggled to the rear, passing through the ranks of the Minnesota regiment. They were followed by Anderson's division of A. P. Hill's Confederate corps, moving with rapid pace to what seemed certain victory. Sickles was severely wounded and Hancock had command.

He had ordered reserve troops to man the undefended crest, but they did not arrive. The Confederate line was striding on, and in ten minutes would swarm over the ridge. It was not more than four hundred yards away when Hancock espied the little bunch of men in blue near the battery. Riding up to Colonel William Colville at his post near the centre, he asked, "What regiment is this?" "The First Minnesota," was the reply. "Charge those lines," ordered the corps commander, pointing to the rebel front. Without delay Colville put his line in motion, down the slope of an old pasture field at the bottom of which was a dried up ditch or "run." It moved at the double-quick till near the foot of the slope, when Colville ordered, "Charge bayonets!" On a full run, the Minnesota men struck the Confederates as they were reforming on the hither side of the run. The shock halted them and the fire poured in gave them

good reason for no further acquaintance with the men in blue. They sought cover behind an accommodating swell of land and retired from the field. Brigadier-General Wilcox of the Confederate army in his report says: "A line of infantry descended the slope in our front at double-quick. Without support my men were withdrawn to prevent their entire destruction or capture."

Of the men who joined in that fatal but necessary charge but forty-seven answered to roll-call at retreat; two hundred and fifteen lay dead, dying, or wounded. A high authority declares this to be the heaviest loss known in the records of modern war. But that charge saved Cemetery Ridge, and in all probability the Gettysburg field.

"The Second Minnesota Veteran Volunteer Infantry occupied this position, Sunday, September 26, 1863, from 2:30 P. M. to 7:30 P. M." Such is the inscription on the monument of bronze and granite erected at the state's expense on the "Snodgrass ridge" in the National Park at Chickamauga, Tennessee. It marks the spot occupied by that regiment as part of the force with which Thomas, "The Rock of Chickamauga," held at bay Longstreet's elated divisions, while Rosecrans's army, broken and shattered, was in disorderly retreat on Chattanooga. The Second lost 35 killed and 113 wounded out of a total for duty of 384; not a single man was missing.

Under a new commander the Union armies con-

centrated at Chattanooga were soon to recover the ground and prestige lost by his brave but unfortunate predecessor. Grant, sending Hooker to occupy Lookout Mountain on his right and Sherman to the left to double up Bragg's extended line, placed the army of the Cumberland in his centre under Thomas. A rumor spread up and down the lines of that army that it was merely paraded to amuse the enemy while Hooker and Sherman should show it how to fight. At three o'clock in the afternoon of November 24 the centre moved forward to the base of Missionary Ridge. After a short pause here the whole line, as it is told, without orders, broke out and swarmed up the hillside and over the enemy's intrenchments in the face of a galling fire of artillery and musketry.

The Second Minnesota, led by Lieutenant-Colonel (afterwards Brigadier-General) J. W. Bishop, deployed as skirmishers, led its brigade to the foot of the ridge, where it joined in the scramble for the crest. It lost eight men killed and thirty-one wounded. Six out of seven members of the color guard fell.

The Third Minnesota, after participating in the "Arkansas Expedition" which resulted in the occupation of Little Rock, remained thereabout till the close of its term. Among the numerous affairs in which it was engaged was one which is rightly dignified as "the battle of Fitzhugh's woods." The commander, Colonel (afterwards Brigadier-Gen-

eral) C. C. Andrews here displayed a tactical ability worthy of a wider field. The regiment suffered greatly from malarial disease.

It was not the fortune of the Fourth Minnesota to be decimated in any one engagement. Its heaviest loss, thirteen killed and thirty-one wounded, was in its participation in the heroic defense of the post at Altoona, Georgia, when a force numbering less than two thousand stood off repeated charges of a Confederate division of seven thousand. Several men of the Fourth whose term of enlistment had expired shared in the battle, and of them some were numbered with the dead.

The gallant behavior of the men of the Fifth Minnesota and Colonel Hubbard's instant perception of the proper line of action at Corinth on October 4, 1862, have already been related. It was the fortune of this command, together with the Seventh, Ninth, and Tenth Minnesota Infantry regiments, to share in the glory of the battle which destroyed the Confederate power in the Mississippi valley.

Thomas, commanding at Nashville, Tennessee, on December 15, 1863, delivered a blow on Hood's left wing which caused that commander to retire to a position on a range of hills two miles to the south, admirably chosen, and capable of effective intrenchment. The attempt made soon after noon of the 16th to crush the right of Hood's army on Overton Hill had no result but the loss of many brave men. McArthur's division was then ordered

to assault the Confederate left, strongly posted behind a breastwork revetted by a stone wall. The first brigade was put in motion as if to make the principal charge. The Minnesota regiments were in the front line of the second and third brigades, commanded respectively by Hubbard and Marshall. Observing the movement, these commanders at once ordered their brigades forward, and away they went over a muddy cornfield, up a slope covered with boulders and obstructed by stone walls, ditches, and rail fences. Without halt or interruption, under a heavy front and cross fire, the lines pressed on, and stormed over the enemy's intrenchment, capturing the defenders, with guns and colors. A general charge of the whole line now put the entire Confederate army to rout and ended the war in the West.

The Minnesota regiments suffered a loss of three hundred in the charge. Jennison, lieutenant-colonel commanding the Tenth, received a severe wound, as he led his battalion over the works. Hubbard had three horses shot under him, and was wounded. The colors of the Fifth were three times shot down. Captain Sheehan (hero of Fort Ridgely) picked them up and saw them planted on the stone wall. Marshall and Hubbard were both brevetted as brigadiers, and both afterwards became governors of Minnesota.

The Sixth Minnesota, occupied in the Indian war, was not sent south till July, 1864, when it took



station at Helena, Arkansas. Here malarial poison, far more fatal than the gun-fire of the enemy, attacked officers and men. During the four and one half months of its service here, six hundred men of this regiment were sent to the Northern hospitals. On August 7 there were but seven officers and one hundred and seventy-eight men for duty. By the time the sick had recovered, the war was substantially over. But their division commander at the capture of Fort Blakely, April 9, 1865, thanked in orders the brave officers and men for their gallantry in the daring charge to which the fall of the fort was due.

The First Minnesota was the only one which served its whole term east of the Alleghanies. The Fourth and Eighth reached salt water in the last months of the war. All the other Minnesota troops remained in the West.

It was not easy for Minnesota to respond to the calls of the nation for recruits in the last years of the war. Some 2700 volunteers were sent to fill the ranks of the old regiments, but these were not enough. The draft enforced in May and September, 1864, was, as elsewhere, a farce: 14,274 names were listed; the exemptions left 2768 liable for service; 2497 failed to report, and two deserted. The remaining number of 269, increased by 282 substitutes, in all 551, were mustered into service. There remained the resource of raising additional regiments not likely to be exposed in deadly battle.

By promises of commissions to gentlemen who should recruit the companies, two strong regiments were raised: the Eleventh Infantry, 1000 strong, and the First Minnesota Heavy Artillery, 1760 officers and men. These commands were sent to Tennessee late in 1864, where they relieved veteran troops for active service.

By the month of September, 1865, all the Minnesota troops had been mustered out except one battery and three cavalry battalions engaged on the Indian frontier. The whole number of men furnished by Minnesota was 22,016. Only the people who lived through that war period can fully appreciate the sacrifices and privations undergone.

The two conflicts, — the Civil War and the Indian war, — occupying the minds of the people of Minnesota for four years, naturally overshadowed all other interests. The Democratic party long in control of her public affairs, depleted by the desertion of thousands of young men to the ranks of the more obtrusively patriotic Republican organization, was left so reduced in numbers as to be powerless in state and national politics. The reelection of Governor Ramsey in the fall of 1861 was a foregone conclusion. If the Republicans were relieved from competition with a powerful opposition they found plenty of it between the factions which arose in their own camp. At the first, however, they were none too sure of carrying a suffi-

cient number of election precincts and therefore felt justified in resorting to a procedure never anticipated by the framers of the state constitution. The legislature in the special session of September, 1862, by a statute duly approved, provided against the disfranchisement of those citizens who at the time of election should be absent in the military service. The plan adopted was that of sending commissioners to the camps to open polls and receive the ballots of soldiers who were, or claimed to be, qualified electors. These ballots they sealed up and transmitted by mail to the judges of election at the respective residences of the absentee voters. The scheme was carried out with the expected result of sufficient Republican majorities. William Windom was easily reëlected representative in the first congressional district, and Ignatius Donnelly, the lieutenant-governor, got his first election in the second. The state was not yet entitled to more than two representatives. Much greater interest, however, centred in the election of a legislature for 1863, which would have before it the choice of a United States senator to succeed Henry M. Rice, whose term was to expire. Governor Ramsey was the logical candidate, and he did not affect indifference to the promotion. The other principal aspirant was Cyrus Aldrich of Minneapolis, who had been representing the second district in Congress in a very acceptable manner. Mr. Aldrich's legislative experience in Minnesota and another state

warranted his friends in promoting his candidacy. These formed a body which in a later day would have been designated as "stalwart" Republicans; they were dissatisfied with the alleged inertia of Lincoln's administration, and desired the liberation of the Southern slaves and the prosecution of the war with greater energy. Mr. Ramsey, by his nature conservative, stood by the administration.

The first trial of strength came off in the Republican legislative caucus held immediately after organization, early in January, 1863. The number of votes was forty-six, and twenty-four votes were necessary to the choice. On the first balloting Mr. Ramsey received but nineteen votes, and then twenty votes for nineteen successive ballotings. Fortunately "the field" was rigidly divided. On the twenty-fourth balloting, twenty-three votes were cast for Ramsey, and the caucus adjourned with little expectation of further changes. A final trial, however, gave twenty-six votes and assured the election of Governor Ramsey by the houses in joint convention on January 14.

Although his senatorial term began March 4, 1863, Governor Ramsey remained in office till July, when he retired to attend an extra session (of the Senate). Lieutenant-Governor Donnelly had resigned at the close of the legislative session of 1863, and the state senate had elected as their president *pro tempore*, the Hon. Henry A. Swift of St. Peter. Under constitutional provision Mr. Swift became lieutenant-

governor in room of Mr. Donnelly, and on July 10 (1863) governor, in the place of Mr. Ramsey. Governor Swift held the office for the remaining six months of Ramsey's term, making no effort to succeed himself. Contemporaries speak of him as a man of singularly amiable character, preferring a quiet life among his neighbors to the excitements of the capital. He was succeeded in office by General Stephen Miller, a native of Pennsylvania, who came to the state in 1858 and made his home in St. Cloud. He had been an ardent supporter of Mr. Ramsey, who was not indifferent to his claims upon him. Upon the organization of the First Minnesota Infantry Mr. Miller received the appointment of lieutenant-colonel. He devoted himself with such fidelity to military studies and exercises that he soon became sufficiently expert, and at Bull Run, Fair Oaks, and other engagements proved beyond question his personal courage. Such was his modesty, however, that when the colonelcy of the First became vacant, a first, second, and even third time he preferred to have it filled by experienced regular officers. After the Seventh Regiment was formed Governor Ramsey was pleased to make him its colonel. When General Sibley in the late fall of 1862 left the front to assume command of his district he devolved immediate command on Colonel Miller. During the general's absence in the campaign to the Missouri in 1863 Colonel Miller remained at St. Paul in command

of the district. Nominated and elected as governor in the fall of that year and honored with the brevet rank of brigadier-general, Colonel Miller resigned to take up his civil duties. In the first year of his service he was chiefly employed in filling up the state's quota in the armies of the Union; and he was so much grieved and disgusted with the behavior of those drafted men who did not report for duty that he seriously recommended that the constitution be so amended as to visit any such "base and cowardly conduct" in the future with disfranchisement and confiscation.

While the governorship of Minnesota has from the beginning been regarded as a most honorable position, the chief prize to be won in her political battles has been the United States senatorship. Around this the successive contests have been hot and fierce. One of these occurred in the winter of 1865. Senator Morton A. Wilkinson had cut no inconsiderable figure at the seat of government, and had so won the confidence of President Lincoln that he wrote an open letter recommending a reelection. Mr. Wilkinson, however, had not retained to a sufficient degree the allegiance of Republican leaders at home. It was alleged that he had allowed his colleague, Senator Rice, to obtain an undue share of good things. Whether true or not, this was an unpardonable offense, and Mr. Wilkinson's friends found themselves, after many ballotings in caucus, in a hopeless minority. In the field against



him was Mr. Rice, and there is a tradition that the nomination might have fallen to him had he been willing to exchange the colors of War Democrat for those of Republican. He had been loyal and ardent in support of the Union cause.

As the result of repeated ballotings, and a combination difficult of analysis, the nomination fell to Daniel A. Norton of Winona, who had gained some distinction as a member of the state senate. When President Andrew Johnson went over to the opposition fold, Mr. Norton followed him. His career was necessarily obscure, and he died in office in 1870.

In spite of the absence of a large proportion of her men of working age and capacity in the armies; in spite of the Indian ravages of 1862 and the fears of others which happily did not come; in spite of the tardy extension of railroads, the war period was one of advance for Minnesota. Her population of 172,023 in 1860 arose, according to the state census of 1865, to 250,099, an increase of forty-five per cent. The accessions were greatest in the river counties, and next in those lying immediately beyond. High prices for farm produce in paper money enabled the farmers to wipe out their debts and improve their homes.

The homestead act of 1862 contributed not a little to the extension of settlements in the state. The original bill for that act, passed in 1860 after bitter opposition from Southern senators and repre-

sentatives, had been vetoed by President Buchanan on the ground that the government had no power under the constitution to give away property of the people held by it in trust. Cyrus Aldrich, one of Minnesota's members, introduced and actively supported the later bill, which became law on February 28, 1862, and took effect January 8, 1863. In the three years following, 9529 homestead entries were made in Minnesota, thirty-six per cent. of the whole number. There can be no question that the operation of the homestead act was beneficial so long as confined to arable lands. The use made of its provisions in later years to obtain possession of timber and mineral lands by processes morally, if not technically, criminal, depriving the nation and states of untold millions of value, gives room for regret that President Buchanan's judgment had not governed his successor.

## CHAPTER XV

### REVIVAL

It was to be expected that, upon the anticipated retirement of Governor Miller, the most prominent among the founders of the Republican party in Minnesota, General William R. Marshall, who had added a highly honorable military career to his civil record, would be called to succeed. And he was; but not without opposition from other gentlemen who had also distinguished themselves in both civil and military duties. It took twenty-two ballots in the Republican convention to secure his nomination. At the polls he met that veteran of Democracy, the Hon. Henry M. Rice, whose popularity, especially among "old Territorians," was so great as to reduce his majority to less than 3500 in a total of 31,000 votes. He took office in January, 1866, and so commended himself by a judicious practical administration that his reelection in the fall of the following year was but formally contested. Mr. Rice closed his political career with the campaign of 1865, which he survived for a quarter of a century.

Marshall's double term was a period of recovery and repair after the exhaustion of the wars; and

it was something more. Neither the people severally nor the state were heavily burdened with debt, and there was work for all and good prices for produce. Railroad building was continued on a scale of a few more than one hundred miles a year. In 1867 the line now known as the Iowa and Minnesota Division of the Chicago, Milwaukee and St. Paul Railroad, begun at both ends, was completed, and trains were put on from the Falls of St. Anthony to Prairie du Chien, whence rail connection eastward already existed. Minnesota was now in the great world all the year round. No important terminals were reached by additions to other lines, although seven hundred and sixty-six miles had been constructed by the close of the decade.

The development of the common schools of Minnesota was tardy. The act of 1851, providing for a state system, created the office of superintendent of public instruction, but attached only a nominal salary to it. Four persons were appointed in as many years, whose duties seem to have been confined to making formal annual reports. From 1856 to 1860 the office was virtually, if not technically, vacant. The legislature of 1860 devolved the duties upon the titular chancellor of the university, the Rev. Edward Duffield Neill, who held it till April 29, 1861, when he resigned to take the chaplaincy of the First Minnesota Infantry, leaving the office to a competitor for that position. In the legislative session of 1862 the school laws were revised and

the secretary of state was made *ex-officio* state superintendent. This absurd arrangement continued for five years, against the advice of the two gentlemen who held the double office.

Governor Marshall informed the legislature of 1867 that the children of school age in the state were over a hundred thousand, and that the school fund had grown to nearly a million and a half. Upon his earnest recommendation the office of state superintendent was reëstablished, with a salary more than nominal, but inadequate. He appointed Mark H. Dunnell of Owatonna, a young lawyer who had been successful as a teacher in his native state of Maine.

Mr. Dunnell threw himself into his duties with great enthusiasm and industry. He gathered the teachers into "institutes" for pedagogical instruction and raised the standard of qualification for certificates. A state teachers' association was organized to stimulate pride in the teaching profession and provide for interchange of ideas and experiences. It is notable that Mr. Dunnell as late as 1869 thought it necessary to argue in behalf of a public school system free from religious dogma or discipline. The organization of high schools in the leading towns had already discouraged the proprietors of numerous denominational academies and seminaries desirous of holding the secondary field.

In 1858 a bill had been worked through the first

state legislature to establish three normal schools, one at Winona as soon as practicable after passage, the others at times to be later determined. This bill was fathered by Dr. John W. Ford of Winona, an enthusiast in the cause of professional education for teachers. So little was known in the longitude of Minnesota of what a "normal school" might be, that it is not strange that the friends of the bill got more credit in the newspapers and among the people for securing a state institution for each of three towns than for zeal in the cause of education. Six years passed before a beginning was made in the first state normal school at Winona, under the charge of William F. Phelps, an Oswego graduate. No man less confident of the righteousness of his cause, nor less willing to fight a bitter opposition, could have built up a school for teachers which has served as model for many others in Minnesota and other states. The second state normal school was opened in Mankato in 1868; the third in St. Cloud in the next year.

The "wing and extension" of the great building planned for the territorial regents of the university in 1856, and built in that year and the next, stood empty for ten years, except that at different times private teachers were allowed to hold their classes in some of the rooms. The legislature of 1858 authorized the regents to borrow \$40,000 and issue ten per cent. bonds in evidence of debt. These securities were negotiated in New York after great



effort and at a ruinous discount. The claim was later made that they could not have been disposed of at all had they not been improperly represented to be virtually bonds of the state. The proceeds released the regents from obligations which they had personally assumed and satisfied a portion of the creditors.

The Republican legislature of 1860 thought it time to oust the "old Democratic board" and install a new administration. The new "state board," consisting of three members *ex-officiis* and five appointed, had nothing to report to the next session but a debt of \$93,500, including \$8000 of overdue interest. Their recommendation was that the land grant be turned over to the creditors, the campus and building being retained. An act of Congress of March 2, 1861, donating to the state the university lands "reserved" for the territorial university, rendered such action feasible.

Governor Ramsey could make no other suggestion to the legislature of 1862, and that body conferred the desired authority. In 1862 wild lands were a drug in the market. "Pine" would not go at four dollars an acre. The regents reported to the legislature of 1863 that the creditors were not disposed to accept "equitable terms." That legislature did not formally dissolve the corporation, but ordered the regents to turn over to the state auditor, as state land commissioner, all the lands, buildings, and appurtenances. This was accord-

ingly done, and the University of Minnesota existed only in supposition.

After the midsummer of 1863 matters were looking up in Minnesota. The victories of Vicksburg and Gettysburg gave hope of an early return of peace. Money was plentiful and prices were rising. Notwithstanding the homestead law, there was a market for well-situated public land. John S. Pillsbury of St. Anthony had been appointed to a vacancy in the board of regents in November of that year, and immediately applied his remarkable business talent to the university affairs. His conclusions were embodied in a bill introduced into the state senate of 1864, of which he was a member. Enacted into law March 4, the bill created a special board of three regents: John S. Pillsbury, Orlando C. Merriman, a lawyer of St. Anthony, and John Nicols, a merchant of St. Paul, also a state senator. This board was authorized to sell land to the amount of twelve thousand acres and use the proceeds in "extricating" the institution. Taking advantage of a time of general liquidation and scaling down, they bought in claims of many creditors at thirty-three per cent. of their face. The bondholders, satisfied at length that they had no recourse upon the state, moderated their demands and consented to "equitable terms" of adjustment. In this way a "great state" redeemed the bonds it had authorized by law, and canceled a body of debts pronounced by the regents of 1860 to be "honestly due."

It took two years to accomplish this "extrication," so that the legislature of 1867 was ready to make a small appropriation to renovate the building and open "a grammar and normal department." It was not until October 7 of that year that the doors were opened, and thirty-one boys and girls were enrolled in the first term. The school being of academy grade, no objection was made to the admission of girls, but there was no intention to settle then the question of coeducation in the university. It was, however, thus settled.

The special board, having accomplished its purposes to the satisfaction of all concerned, recommended to the legislature of 1868 the transfer of control to a permanent board of regents. The act of February 18, 1868, passed in pursuance of this counsel, is the charter of the university, and has not been materially modified. The new board appointed by the governor with the consent of the senate properly contained the names of Pillsbury, Nicols, and Merriman. At the close of the school year of 1869 the regents resolved to open the "College of Science, Literature, and the Arts," as the statute ambitiously named the academic department. Although there were but fourteen provisional freshmen and a hundred and fifty preparatory students, a president, eight professors, and one instructor were elected. The faculty thus constituted organized in September, and took up the work before them, mostly that of a fitting school.

The title of the charter of February 18, 1868, contained the clause, "and to establish an agricultural college therein." The original act of 1851 creating the university named as one of its five departments that of agriculture, but on March 10, 1858, a separate "state agricultural college" was established and located at Glencoe in McLeod County. Minnesota's share of the so-called Morrill land grant of 1862 for the benefit of colleges of agriculture and the mechanic arts was 120,000 acres. By an act approved March 2, 1865, the proceeds of this grant were applied and appropriated to the said agricultural college of Minnesota. What influences or interests prevailed to induce the people of McLeod County to consent to the merger of their institution with the university are not well known, but the legislature of 1868 decided on that policy, and inviolably appropriated the income of the Morrill land grant to the united institutions. The friends of the university were, of course, gratified over the return to the scheme of the original creative act of 1851 and the concentration of the state's resources for the higher education. Governor Marshall had the satisfaction of seeing the University of Minnesota, in which he had been deeply interested from its statutory creation, at length fairly launched on a career of promise which he lived to see fulfilled. He had also the gratification of seeing the color line removed from the state constitution by the adoption, at the

election of 1868, of an amendment expunging the word "white" out of the article on the elective franchise. A much needed revision of the laws of the state went into effect about the same time.

Ignatius Donnelly, who had been elected to Congress in 1862, had been accorded two reëlections. His diligence in business and readiness in debate had gained him influence in the House, and his campaign speeches had increased his popularity at home. To all appearance he was certain of a third reëlection in the fall of 1868, and among his admirers were those who suggested that the state and country would profit by his promotion to the Senate. Such propositions were not relished by the friends of Senator Ramsey, whose first term would be expiring in the following winter. Elimination of Mr. Donnelly thereupon became to them a desirable political object. It might not have been attained but for an error of Mr. Donnelly himself in a moment of perhaps excusable exasperation.

In the winter of 1868, in a letter to a constituent explaining why he had not pushed a certain railroad land grant bill, Mr. Donnelly stated that E. B. Washburne, member of Congress from Illinois, had repeatedly hindered his efforts to secure legislation for his state. Mr. Washburne replied through a St. Paul newspaper, April 10, 1868, attacking Mr. Donnelly's personal character, and declaring him cowardly and mendacious. He represented him also

as "whining like a schoolboy" over his disappointments. Thus assailed, Mr. Donnelly, on May 2, made on the floor of the House a consummate display of those powers of ridicule and invective of which he was master. Tolerated by the House because of its enjoyment of the play of rhetorical lightning, and perhaps because of a feeling that the speaker's indignation had some just ground, the Minnesota member descended into an utterly indefensible tirade. It has ever since been traditional in Minnesota that that speech "cooked Donnelly's goose."

Washburne could only say in wrath that he would "make no reply to a member covered all over with crime and infamy, a man whose record is stained with every fraud, a man who has proved false alike to his friends, his constituents, his country, his religion, and his God." Both gentlemen apologized for using unparliamentary language, and the special committee of the House reported that as neither had made charges affecting the action of the other as a representative, they might be left to settle personal difficulties outside. On his return to Minnesota after the close of the session, Mr. Donnelly gave expression to his sentiments towards the Washburn family in a series of speeches in which his peculiar gifts were displayed in the highest degree.

The friends of Senator Ramsey selected for their support, as successor to Mr. Donnelly, William D.



Washburn, a younger brother of the representative from Illinois just mentioned, who had won for himself a place in their esteem for ability and character. When the hour for the convention came, Mr. Donnelly's supporters "bolted," and in a separate body put their idol in nomination. Seeing the regular convention so largely depleted, Mr. Washburn withdrew after the first ballot. General Lucius F. Hubbard also declined the honor of a candidacy; and it was only after assurances of active and substantial support that General C. C. Andrews was persuaded to enter the lists. The Democrats saw their opportunity in this split in the Republican ranks, and put in nomination and elected Eugene M. Wilson of Minneapolis, a gentleman whose character and services entitled him to their support. He served to the general satisfaction in the Forty-first Congress.

Mr. Donnelly now came out openly as a candidate for the senatorship, and he had reason to expect an election. On the eve of the Republican caucus, however, his muster roll contained but twenty-six names of those who could be depended on. Twenty-eight votes were necessary to nominate. Failing to secure absolute pledges of the two lacking votes, Mr. Donnelly advised his friends to give their support to Morton S. Wilkinson, who was willing to serve another term in the Senate. His hope was to give Mr. Ramsey a rest from senatorial labors. In that he was disappointed. Mr. Ramsey's

friends secured the adoption of a resolution to dispense with informal balloting, thus revealing their strength, but they were only able to give him the exact number of votes (twenty-eight) necessary to a choice. The election followed as a matter of course, and Mr. Ramsey continued in a senatorial career creditable to himself and serviceable to the state and nation. Mr. Donnelly did not at once renounce the colors of the Republican party, but he was ever after a free lance in politics. He was repeatedly elected to the state legislature.

In the fall of 1869 an effort was made to give Mr. Donnelly the regular nomination for the governorship. This was not opposed by the Ramsay leaders, who were willing to bring back into the fold so dangerous a rival. That effort, however, had but slight recognition in the nominating convention, which chose for the party candidate a gentleman as yet not widely known in state politics, the Hon. Horace Austin of St. Peter.

The removal of the state capital from St. Paul, which would have been accomplished in 1857 but for the high-handed exploit of Councilor Rolette, though frequently broached informally, was not seriously taken up by any legislature till 1869. A bill for removal to Kandiyohi County, on to land belonging to the state, was passed through both houses so easily and rapidly as to invite the surmise that the necessary votes had been secured in advance. Superfluous debate was shut out by the

operation of the previous question. The vote in the house was 39 to 7, that in the senate 12 to 10; but the house could not muster enough votes to pass the bill over Governor Marshall's veto. The veto message was moderate in tone; suggesting that it would be wise to hear from the people on the question, that there should be no haste about a final location of the capital, and that it was no time to expend a great sum of money on buildings.

Two years later a final proposal to remove the capital from St. Paul to the imagined city of Stanton met with a prompt indefinite postponement.

## CHAPTER XVI

### STORM AND STRESS

HORACE AUSTIN was inaugurated governor January 9, 1870. A native of Connecticut, who had lived and married in Maine, he had come to Minnesota in 1855 at the age of twenty-five and settled at St. Peter. He had studied law and taught school, but had taken no college course. In the campaign of 1863 against the Sioux he commanded a company of Minnesota Mounted Rangers and gave a good account of himself on the march and battlefield. His neighbors had elected him a district judge and were more than content with his wise and fearless conduct on the bench. It was a piece of good fortune for the state that the warring Ramsey and Donnelly factions of the Republican party in the convention of 1869 compromised upon a candidate unobjectionable to both, but no especial favorite with either. His majority was less than two thousand over the popular candidate of the Democrats, George L. Otis. Ingenious, hopeful, independent, Mr. Austin in successive messages showered upon the legislatures projects of reform and development. In many of them he was doomed to disappointment because he relied entirely on the merit

of propositions, and was not politician enough to understand that it is only by timely and happy combination of interests that measures can be carried in legislative bodies. Among these abortive recommendations may be mentioned the one in his second message, urging a revision of the state constitution, which he declared to be a motley of inconsistencies. His desire was that a revised constitution should contain such provisions as these: (1) Restriction of special legislation; (2) prohibition of exclusive franchises; (3) limitation of local taxation; (4) restriction of municipal debts; (5) ample power to regulate railroads; and (6) abolition of the grand jury. Neither the legislature to which the recommendation was addressed nor any subsequent one has been willing to propose to the people a revision of the constitution. Casual amendments have been frequent, but a late amendment to the amending article, requiring an affirmative vote of a majority of all the electors to adopt a proposed amendment, will certainly render it difficult, and it may be impossible, to make further casual changes in the state's organic law. A happy illustration of Mr. Austin's independence may be found in his action on the disposition of the so-called "internal improvement lands" of the state. An almost forgotten statute of the United States, passed in 1841, authorized the gift to any new state of five hundred thousand acres of public lands for "internal improvements." The claim of Minnesota to this grant

had been tardily conceded by the Secretary of the Interior. In his inaugural address Governor Austin recommended that the disposition of the lands should be submitted to popular vote. The legislature then opening (1870) was of a different mind, and listened to suggestions that the end of the law would be served if the lands should be bestowed on certain railroad corporations willing to accept them. When the legislature of 1871 convened that proposition seemed much in favor, and a bill to divide the whole grant, then possibly worth ten millions of dollars, in eleven parcels among seven corporations was passed in so summary a manner as to suggest a careful rehearsal for the purely formal proceedings. The support of the bill was so evenly derived from the two political parties that neither of them could claim the greater credit for guarding the public interest.

The veto message of Governor Austin will long remain a landmark in the political history of the state. In the plainest of English he told the legislators that they had been either cajoled or bullied into passing a measure they dared not submit to the people, that the minute parceling of the lands would be ridiculously ineffective, that they had no power to divide the lands, but only the proceeds thereof, and that they had voted to divert the national gift from its intended object. From this date there was no question of a reelection, should he desire it. In the following year an amendment



providing that no disposition should be made of those lands until after the ratification of any proposed measure by vote of the electors was submitted and, at the election, adopted. The use to which they were put ten years later will be related in its place.

For Minnesota as for the country at large, the early seventies belong to one of the most notable "boom" periods in our economic history. The census of 1870 verified the hopes of enthusiastic promoters in many lines. The total population footed up 439,706. The native born in round numbers were 279,000, of whom 126,000 had been born in the state. The foreign born were 161,000, of whom the Scandinavian kingdoms had sent 59,000 and Germany 41,000. The English-speaking immigrants numbered 47,000. The swelling number of inhabitants was inspiring and the high quality of the population was equally satisfactory. One hundred and thirty-one thousand coming from the north Atlantic and north central states had brought with them American traditions and culture, capital, brains, and ambition for an enlarged career in a land of opportunity. The foreign accessions were Christians, willing workers, and many of them passionate lovers of free government.

The rapid extension of railroads was both a cause and a consequence of this increase of people; of their distribution, their productive power, and their demands for the comforts and luxuries of other skies. Rail connection eastward by way of the

head of Lake Michigan, established in 1867, had given quicker mails and shortened the passenger journey to the seaboard. No produce save that of highest value in smallest bulk could stand transportation charges to New York. The completion of the railroad from St. Paul to the head of Lake Superior in 1870 brought that city almost as near salt water as Chicago, and opened the great waterway of the lakes for Minnesota's grain and lumber, and returning coal and merchandise. Later her annual millions of tons of iron ore have passed down through "The Soo" to Lake Erie ports.

The year following (1871) was abundant in railroad extension. The main line of the Great Northern was extended to Breckenridge on the Red River of the North; the River division of the Chicago, Milwaukee and St. Paul, prolonged to Winona, shortened the journey to Chicago by many hours; and the Northern Pacific had reached the Red River at Moorhead. Meantime the Southern Minnesota had been pushed out to the Blue Earth, and the Winona and St. Peter to the Minnesota. The 350 miles built in 1872, though reaching no important terminals, brought the total mileage at the close of the year up to an even 1900.

In those years of plentiful money and multiplying fortunes, railroad building was rapid and easy in Minnesota. Investors were keen for bonds secured by land grants of enormous extent, and bearing a liberal interest, especially when offered at a

seductive discount. The controlling spirits of the companies found some profit in financing construction companies, but more in town lot and land speculations. Railroad building out on the open prairie far in advance of settlement was a novelty then. The gentlemen whose privilege it was to determine the lines and locate the stations were in position to make profitable selections of lots and lands, and to let their friends "in on the ground floor" for a consideration. Around the selected stations considerable villages would arise in a single season. In some cases the town would be built before the track had reached it. There were instances in which settlements were made on mistaken calculations of actual location, and then the houses and shops were literally put on wheels and hauled over to the chosen spots.

The lands adjacent to the railroad lines, especially within a few miles of the stations, were, of course, in great demand and rose rapidly in price. Cultivation was no longer confined to the river counties, but spread rapidly inland. It did not take a generation of the hardest labor to make a farm on the Minnesota prairie. In the first season the newcomer could win his subsistence, and in the second begin to build. The cultivated area of the state, which was 630,000 acres in the closing year of the Civil War, rose to 1,863,300 in 1870, and five years later fell not much short of 3,000,000.

A large fraction of this area was devoted to a

kind of cultivation novel to this country, but which remained profitable only so long as the virgin fertility of the soil survived, and that was rarely longer than ten years. "Bonanza farming," so called, was carried on by large proprietors or lessees, owning or controlling many thousands of acres, employing machines and large gangs of men and animals. For these estates there were developed out of the petty apparatus suitable to the little eastern farm, the sulky plow with its two mould-boards, the disk harrow, the twelve-foot seeder, the self-binding reaper, and the giant threshing-machine. There was but one principal crop, spring wheat, which was commonly threshed from the shock and immediately marketed. To handle the great quantities, grain "elevators" were built at the railroad stations, tall, ungainly structures with conveniences for weighing in, lifting, weighing out, and spouting into waiting freight cars. At terminals were erected elevators for cleaning and drying grain, as well as for storage for many thousands or millions of bushels. The country elevator was also convenient for the small farmer, who was saved the cost of building a granary of high-priced lumber from distant pineries.

Early settlers in the Northwest had found spring wheat, with its power of rapid growth in the long sunshine of high latitudes, a better crop than winter wheat, occupying the soil for two seasons and liable to winter kill. But the spring wheat berry,

although of higher nutritive value than that of winter wheat, had a flinty envelope and yielded a flour too dark in color to suit the market. A revolution in the process of milling presently reversed the places of the two flours. Milling had already advanced so far beyond the primitive separation of flour from bran by hand sifting as to segregate a residuum of coarser granules, called "middlings," which, subjected to a second grinding, yielded a low grade flour. It had been discovered also that these middlings contained the more nutritive elements of the wheat berry, and it had been a problem how to recover them. French millers were in possession of a method for its partial solution. George H. Christian of Minneapolis had long studied on the problem, and in 1870 employed a French immigrant named La Croix to construct a rude apparatus in his mill at Minneapolis. This was the germ of the "middlings purifier," soon developed and installed in all mills using spring wheat. Receiving middlings from the first grinding, the machine by use of sieves and air currents separated out the pure wheat granules. These were reground and "bolted" into two or more grades of flour. The first grade was put on the market as "Minnesota Patent," and for a time commanded a price of three dollars a barrel above any other. The same principles, refined upon, have resulted in the more modern process of "gradual reduction" by means of rollers, displacing the immemorial millstones.



The rapid development of a great milling centre at the Falls of St. Anthony opened a market for the spring wheat, which could not otherwise have been grown. The Minnesota crop of fifteen million of bushels in 1870 was to be doubled in 1875. The patent milling process gave to Minneapolis an advantage soon apparent in the multiplication not only of flour mills, but of industries ancillary thereto. The manufacture of lumber out of logs from the pineries of the upper Mississippi and its tributaries, which had been her leading industry, now took a second but still important place. The city of Saint Anthony's Falls had suffered by the migration of many of her most capable men of affairs to "the west side," where Minneapolis sprang into being as by magic when the military reservation was reduced in the middle of the fifties. The new city soon outstripped the old in population, in manufacturing, and in merchandizing. At length it became apparent that there was no propriety in the maintenance of separate municipal organizations at the falls. By virtue of an act of the legislature, approved February 28, 1872, the older city lost its name and became the east division of Minneapolis. The regrets of some of her oldest citizens were mitigated by the suggestion that the Minneapolis thus enlarged might some day become the rival of Minnesota's capital city in wealth and numbers, if not in political importance.



The land grant railroads, rapidly extended after the Civil War, had occasioned the building of new towns, the opening of new farms, the production of more millions of bushels of wheat, to be passed through more elevators and carried in more freight cars to more mills, for conversion into more thousands of barrels of Minnesota Patent flour. All these called for more miles of railroad, and the revolving game went merrily on for some years. So obvious were the advantages of railroad transportation that every possible inducement was held out to invite construction. Rights of way and bonuses in the shape of town, county, and city bonds were willingly bestowed. State and municipal authorities were so indulgent and generous that railroad "interests" came to expect the fulfillment of any requisitions they should please to make. A crowning example of this confidence has been given in the so-called "land grab" of 1871, whose consummation lacked only the approval of Governor Austin. But under this seeming of prosperity for the public and the people whose wealth was going into the railroads there was trouble brewing. Transportation did not come as cheap as the public was expecting from corporations, which had received from Congress public lands worth about \$10,000 per mile at government prices, to aid them in building. Five cents per mile passenger fare seemed exorbitant, as did freight rates ranging from seven cents to sixty cents per ton mile.

The immense loans made by sale of bonds were understood to be part of a policy of the corporation managers to get their roads built on credit, and to hold the lands, released from the primary mortgages, for speculation. There were abundant innuendoes thrown out in political campaigns that public officials, especially members of legislative bodies, national, state, and municipal, had not been losers by the grants and indulgences showered on the corporations. It is improbable that many individuals were thus persuaded or enriched by large benefactions. When the whole community were ready to grant everything a railroad company could ask, there was little need for "graft."

Chief, however, among all causes of exasperation were the frequent and notorious discriminations in favor of some individuals, industries, and places against others. By the connivance of one or more companies the fuel supply of a city was put into the hands of a single firm or clique. The big shipper generally was conceded a better rate than his small competitors. But it must be said that at terminal points and junctions, where shippers had the choice of two or more lines, they sometimes forced the hungry traffic managers to offer rates by no means agreeable or profitable. When the rate per hundred pounds on merchandise from New York by way of the lakes to St. Paul, including 156 miles of railroad haul, was 35 cents, that from St. Paul to Faribault, 56 miles, was 39 cents.

The state constitution contained (and still contains) the provision that all common carriers enjoying right of way for public use shall carry the mineral, agricultural, and other productions of the state "on equal and reasonable terms." The farmers could not see that a rate on wheat from Owatonna to Winona of 2.6 cents, and one of 6 cents from Rochester, 40 miles on the road nearer Winona, were "equal"; nor could the people of Faribault and vicinity see what justice there was in paying \$29.50 freight per carload of lumber from the falls, while residents of Owatonna, 15 miles farther on, should enjoy a rate of \$18.

As early as 1866, in his inaugural address to the legislature, Governor Marshall had advised that body to be looking out "for the interests of the people against possible oppression from these corporations, which will soon be a power in the land." In his message of 1867 he suggested that it was time to attach proper terms and conditions to railroad aid. He did not like the withdrawal of ten million acres of land from the operation of the homestead act.

Governor Austin, in his inaugural address of 1870, went no further than to ask the attention of the legislature to the complaints of railroad extortions and discriminations, and the use of the constitutional powers possessed by it for their abatement. His first annual message, delivered one year later, is a notable document in the literature of rail-

road regulation. It may be questioned whether there was another state executive in the country ready at that time to nail any such array of theses on the doors of the capitol. His propositions, briefed out of his text, were: 1. All special railroad charters not put into operation within ten days after consummation, to be void. 2. Every railroad corporation doing business within the state to maintain a public office within the state, and keep therein records of the officials, capitalization, assets, and liabilities. 3. No new road to be built parallel to an existing road. 4. All railroads in the state to be public highways free to all persons for transportation at reasonable charges. 5. No railroad company to issue any stocks and bonds except for money, labor, or property actually received and applied to the purposes of the corporation; all fictitious stocks and bonds to be void, and no increase of either, unless in a manner prescribed by law. 6. The state's right of eminent domain to apply to railroad as to other property. 7. Adequate penalties, extending if deemed necessary to forfeiture of property and franchise, to be provided for unjust discrimination or extortion. 8. Finally, the creation of a national railroad commission for the regulation of commerce by rail and otherwise among the several states.

It is remarkable that the same legislature which passed the 500,000 acre land grab also enacted one of the first and most stringent acts for railroad regulation. It is chapter 24 of the General Laws of 1871.

It classified all freight and fixed a maximum rate for each of the five classes, according to distance. It determined a maximum passenger fare of five cents per mile. It declared all railroads in the state to be public highways, and fixed a penalty of \$1000 for every denial of the right of any person to travel or ship goods at the prescribed rates. The law finally declared the rates therein established to be "maximum reasonable rates," and any corporation demanding or receiving more should, on conviction, forfeit its charter.

The same legislature (1871) provided for the appointment by the governor of a state railroad commissioner to observe the behavior of the corporations under the new law. The first incumbent was General Alonzo J. Edgerton, who had given proof of ability by gallant military service and successful practice as an attorney. The three reports of this official are a pitiful record of the unequal struggle of the legislatures with their informally confederate creatures, the railroad corporations. To the regulative act of 1871 the corporations gave not the slightest heed, partly on the ground of their rights as quasi-persons, partly because in their territorial charters they had been authorized to make "reasonable charges" for services, and the legislature had not reserved the right to determine what charges were reasonable. If some of the roads somewhat abated their rates, it was not because of the legal mandate. Gross discriminations continued to be



practiced. The evasion of taxes by the companies by various devices added to public exasperation. The commissioner was gratified to have exacted an increase of railroad taxes from \$56,505.54 in 1871 to \$106,876.35 in the year after, and regretted his inability to reach \$250,000 more illegally withheld. One company, the Minnesota Central, sold its entire railroad property to the Milwaukee interest, retaining its unsold lands, and claimed to survive as a railroad company entitled to hold its lands free of taxation. For lack of authority to make personal inspections of company accounts and property the commissioner could not verify their reluctant reports, which, because not made on a prescribed uniform plan, were of slight practical service. In his report for 1873 he reminded the legislature that the companies, which had by the beginning of that year constructed 1900 miles of road, had received from the nation, state, and municipalities, grants and gifts to the value of \$51,000,000, being about \$27,000 per mile of completed road. The average necessary cost of construction and equipment, according to an expert computation, would have been a trifle over \$23,000 to the mile. In that year the bonded debt of the roads amounted to \$54,500,000. The aggregate of capital stock, \$20,000,000, raised the "capitalization" of the roads to \$74,500,000; nearly \$48,000 per mile. Only nominal amounts of stock-proceeds had gone into construction and equipment, and there were wide margins between the face value



of the bonds sold and the actual expenditures. In some instances, says the commissioner, not more than forty per cent. went into construction. In these years in which building was going on so swimmingly, operation was far from encouraging. The managers had been more concerned to increase mileage than to build substantially. Heavy grades, sharp curves, and slight construction were the result. The iron rails weighed for the most part but fifty pounds to the yard. Equipment corresponded, of course, with track and rail. The amount of business obtained at the fares and rates exacted was disappointingly small. After the grain crop was moved the amount of paying freight was meagre and backloading trifling in amount. Operating expenses rose to eighty per cent. of the gross earnings. The balance of earnings and expenses for the year 1873 was but \$1,400,000 for all the Minnesota roads, a sum which must have seemed pitifully small in the eyes of the men whose money had built them. The reader need hardly be told that the Minnesota railroad corporations went down in the crash which came upon the country in 1873. Three defaulted in their interest, two borrowed money to pay it, two went into receivers' hands, and others attempted assessments on their stockholders. In the next four years but eighty-seven miles of new road were built.

When the roads refused to conform to the law of 1871 it became the duty of the attorney-general to bring suit for forfeiture of charters, the prescribed

penalty for disobedience. John D. Blake and others sued the Winona and St. Peter Railroad Company in the district court of Olmstead County, alleging that said corporation had exacted for a certain service one dollar and ninety-nine cents, whereas the statute had determined the sum of fifty-seven cents to be the reasonable maximum charge. This court held, with the defending company, that the legislature had no power under the constitution to fix and determine railroad rates. The state intervened and the case was appealed to the Supreme Court of Minnesota, which reversed the decision of the court below, thus sustaining the validity of the act of 1871. The case was then carried to the Supreme Court of the United States and was numbered among the well-known "granger cases," held under consideration for four years and disposed of according to the principles laid down by that court in the case of *Munn vs. Illinois*. In the "Blake case," decided in October, 1876, it was held that the legislature of Minnesota was within its constitutional powers in regulating and fixing railroad rates and charges and prescribing penalties for violations of her laws in that behalf.

In this interval the prostrated and nearly bankrupt corporations were in no condition to conduct themselves offensively. In 1874 a state board of three railroad commissioners was created. Mr. Edgerton was retained as a member, with Ex-Governor Marshall as one of his colleagues. Under

their powers they made and published a complete schedule of reasonable maximum fares and rates according to distances, and reported at the close of the year a general and substantial compliance on the part of the companies. Their representatives showed such good nature and made such fair showing of their meagre profits that the commissioners found good reason to allow them all they could reasonably claim. This led to the suggestion that the commissioners had been deluded or corrupted by the smart and able railroad men. The next legislature (1875) accordingly replaced them with a single commissioner to be chosen by the electors, with such meagre powers as to justify a guess that some ingenious railroad attorney drafted the bill. Ex-Governor Marshall held the office for six years, discharging the duties with admirable discretion.

As an example of the liberality, not to say criminal recklessness, with which railroad operators in the decade following the Civil War made use of other people's money, it will be well to follow the fortunes of one of the great land grant companies. The Minnesota and Pacific Railroad Company was one of the four corporations created by special act in 1857 to receive the colossal land grant made in that year to aid railroad building in Minnesota. This company was obligated to build from Stillwater via St. Anthony to Breckenridge, and from St. Anthony to St. Vincent, a hamlet on the Red River near the crossing of the Canadian boundary.

Along with the rest it defaulted, and in the summer of 1860 its property and franchises were sold to the state upon foreclosure. An effort to recover these by conforming to conditions imposed by the legislature as already stated, proved abortive. In 1862, however, the franchises, rights of way, the land grant, and other property thus forfeited were bestowed upon a new corporation styled the St. Paul and Pacific Railroad Company, which built ten miles of road that year and opened business between St. Paul and St. Anthony. The year after, seventeen and one half miles of track were added, and trains run to Anoka. This rate of progress did not satisfy the corporation nor the expectant people. Circumstances not now well known opened the way for borrowing money in Holland. To give the great enterprise a less tremendous aspect, it was resolved to separate it, so that the portions of road lying in districts already settling up might be immediately "financed," while those running to distant regions known only to hunters and Indian traders might be left to the future. Accordingly in 1864, under legislative authority, a new and separate corporation was formed by the interests controlling the existing company, under the name and style of "The First Division of the St. Paul and Pacific Railroad Company." To this new company was transferred the "main line" from St. Paul to Breckenridge and the "branch" from St. Anthony to St. Cloud. The early building of these lines

within the bounds of civilization would not, it was believed, appear a romantic undertaking to investors. The scheme had its intended effect. Money poured in galore. When the "branch" was finished to St. Cloud in 1866 (76 miles), \$7,000,000 of bonds had been sold. That amount of cash would have built 350 miles of road, as roads were then built in level regions. Five years later (1871) the "main line" reached the Red River at Breckenridge (217 miles), and the bond issue had been swelled to \$13,500,000. The two lines might have been built for much less than half as many dollars. Upon the completion of the main line and branch it was believed to be feasible and judicious to go on with the construction of the remaining mileage retained by the original St. Paul and Pacific Company. This consisted of the so-called "extensions": the "St. Vincent Extension," from St. Cloud to the Canada line on the Red River, and the trifling "Brainerd Extension," from St. Cloud to Crow Wing. To build these a loan of \$15,000,000 was obtained in Holland. The bonds were placed at seventy-five cents on the dollar, and twenty-one per cent. of the proceeds were retained to meet three years' interest. These discounts left a little short of \$9,000,000 in available cash. This amount would have built and equipped both the extensions (about 470 miles) according to the building standards of the time. In November, 1872, the money was all gone and there had been built 140 miles of road, 100 miles having no



connection with the existing portions of the system. Collections of rails, ties, and bridge material, not actually paid for, remained on hand, a useless asset. In his message to the legislature of 1873 Governor Austin characterized the finance of the companies by implication as injudicious and dishonest, and vaguely suggested that the just claims of the foreigners should be consulted. The lawmakers, however, were disposed to allow the foreign investors, who had placed their funds according to their own judgment, to use their own wits to recover their losses. It is difficult to see what relief the legislature could lawfully have rendered.

That body had no sooner adjourned than in May (1873) the companies defaulted on their interest. Two corporations, parent and child, owned 433 miles of railroad of light construction and equipment, on which rested \$28,000,000 of bonded debt running at seven per cent., and the net earnings for the previous year had been \$112,745.57. In August the United States District Court for Minnesota put the mother corporation into the hands of a receiver, but left the stockholders and bondholders of the "First Division" company to wrestle with the business under their legal and stipulated powers. The legislature had in separate acts authorized the bondholders of that company to vote for directors, who might be foreigners, any or all, and provided that meetings of directors might be held abroad. The fact that the Northern Pacific



Railroad "interest" had held the major number of shares in both of the Minnesota companies does not modify the foregoing account, but points to the quarter in which to seek for the residence of responsibility, in part at least, for a series of operations hard to account for on presumptions of honesty and common sense. The reader may be curious to follow further, on a subsequent page, the story of the St. Paul and Pacific.

The panic of 1873 was a typical example. An era of great prosperity had induced a fever of speculation which had spread through all social strata. Not railroads only but ships, mills, factories, mines, fisheries, farms had been built or bought with small sums of ready cash and large sums in mortgage notes. A huge cloud of debt rested over the land. Transactions were so rapid and enormous that bankers loaned out their swelling deposits with a reckless eagerness. One fine morning some conservative institution refused a new discount or declined to renew a customer's paper. That customer could not pay his creditors, and those could not pay theirs. By nightfall alarm had spread wherever the telegraph lines extended. The next day there were no bank deposits of cash, and credit transactions ceased. Securities offered on the market by hard pressed debtors began to drop, and presently all forms of property depreciated. In the general distrust which ensued, all kinds of indus-

tries and business languished, and months passed before even the more modest of credit operations were adventured. Years passed before the full tide of prosperity was again in flow. In a country still new, where capital was small and opportunities for credit operations great, the havoc wrought was extreme. Liquidation and recovery were correspondingly tardy. In Minnesota the panic was accompanied by two disasters which added much to the general discouragement.

The morning of January 7, 1873, opened clear and bright over the south half of Minnesota, with no signs of foul weather in the sky. The country people had left their homes on their usual errands to mill, to post-office, to town, to distant wood lots or fields, without thought of danger. Soon after midday those who were still on the road were overtaken by one of those terrible winter storms known to old voyageurs as "blizzards." The most learned authority in America on English usage has recently made the statement that the word "blizzard" is not more than twenty-five years old. It was in common use in Minnesota in the fifties. In a true blizzard the air is so completely filled with a fine granular snow as to cause absolute darkness. It is, as on this occasion, frequently accompanied by a furious wind. The temperature may or may not be excessively low. The voyageur did not attempt to travel when a blizzard overtook him, but got behind and beneath such shelter as he could find or make,

and waited for it to blow over. These inexperienced Minnesota settlers pressed on, wandered from the unfenced roads, and if they found shelter it was by good fortune. Many perished in the terrible gusts which swept the prairie. The weather did not clear till the third day. The first accounts estimated the number of lives lost at many hundreds, but when the state statistician collated the local reports sent in he was happy to find that not more than seventy persons had perished. A much greater number, of course, were frost-bitten and maimed. There were cases in which farmers had been either injured or destroyed while attempting to reach their houses from their barns and fields. There has been no blizzard of any notable severity in Minnesota since this of 1873.

In June of the same year a southwest wind brought over the western border, south of Big Stone Lake, swarms of the Rocky Mountain locust (*Melanoplus spretus*), which soon spread themselves over large parts of fourteen southwestern counties as well as a considerable area of northwestern Iowa. Because not learned enough in entomology to distinguish, the people supposed these locusts to be grasshoppers, and soon adopted the abbreviated form "hoppers." The growing crops were presently devoured. Settlers who had made their first plantings were impoverished and had to accept the generous aid of neighbors. The area visited was small compared with that of the state

and its settled portions, and it was not conceived that grasshoppers could survive a Minnesota winter. The legislature of 1874 made an appropriation of \$5000 to relieve cases of complete destitution, and another of \$25,000 to be advanced to the farmers for the purchase of seed.

In July of this year (1874), to the astonishment of all, innumerable multitudes of "hoppers" suddenly appeared as if rising out of the ground; and they did so rise. In the previous fall the female locusts had deposited in cylindrical wells about an inch deep and one fourth of an inch in diameter, hollowed out on high ground, clusters of eggs inclosed in protecting envelopes and covered with soil. The midsummer heat hatched these eggs, and the brood at once fell on the growing crops. In a few days not a spear was left over large areas, and the hoppers had grown wings. Taking wing as if by a common inspiration, they flew over into Blue Earth, Sibley, Nicollet, and Renville counties, where they repeated the devastation of the previous season. But the counties thus abandoned were again in many places infested by fresh swarms from the southwest. In all twenty-eight counties were visited in 1874. Upon an appeal from the governor a subscription was opened for the relief of stricken settlers. General Sibley, at his request, undertook the disbursement, and later accounted for \$19,000. The legislature of the following winter set aside \$45,000 for immediate relief and \$75,000

for seed, the latter sum to be repaid along with taxes. The devastations of 1875 did not extend more widely and were somewhat less damaging, but they added not a little to the discouragement and gloom resulting from the panic.

The Republican party was so completely in the ascendant in the seventies in Minnesota that the only political events of importance were those which occurred in its ranks. United States Senator Daniel S. Norton died July 13, 1870, and it fell to the legislature assembling in the January following to elect his successor. It took but a single ballot in the Republican caucus to decide who should be Senator Ramsey's colleague. William Windom had given such satisfaction by his five consecutive terms as representative in Congress from the first district that, Mr. Donnelly being out of the road, there was none to dispute his claim to the promotion. Mr. Windom's large acquaintance, his long legislative experience, his sound common sense and Quaker simplicity of manner at once gave him a standing at the other end of the capitol not easily accorded to new senators.

President Grant in his message of 1872 advised the Congress to authorize a committee to investigate the various enterprises for the more direct and cheaper transportation of the products of the West and South to the seaboard. The Senate responded by the appointment of a select committee



on transportation routes to the seaboard, with ample powers for investigation. Senator Windom, as chairman of this committee; devoted many months to the analysis and interpretation of the great mass of information and counsel submitted, and to the preparation of the report in two octavo volumes, printed in the spring of 1874. Among the novel conclusions of this committee (and some of them are after the lapse of a generation not familiar to all) were: (1) that the power of Congress to regulate commerce among the several states includes the power to aid and facilitate it by the improvement or creation of channels and ways of transportation; Congress has the same right to build railroads as canals: hence, (2) the ownership or control of one or more double-track freight railways; (3) the improvement of our great natural water ways and their connection by canals; (4) particularly the improvement of four great channels at national expense. These were the Mississippi River itself, a route from the upper Mississippi by way of the great lakes, a route from the same river by way of the Ohio and Kanawha, and, last, a route from the Mississippi via the Tennessee; all to be pieced out either by canals or freight roads. At the present writing Congress is just warming up to attack the first of these four great enterprises.

As might be supposed, the committee incidentally suggested complete publicity of all interstate



railroad classifications and rates, the prohibition of combinations with parallel or competing lines, the receipt for and delivery of grain by quantity, the making it unlawful for railroad officers to be interested in car or freight line companies, and the absolute cessation of stock watering. The proposition of a bureau of commerce to supervise all interstate railroad operations bore fruit twelve years later in the interstate commerce commission. Senator Hoar declared this report to be "the most valuable state paper of modern times."

The Minnesota Republicans from the beginning had been divided. Opposed to the old "Ramsay dynasty," which had controlled the distribution of government appointments, there was at all times an array of patriotic gentlemen quite willing to enter the public service, believing themselves as deserving of party rewards as those on whom Fortune had smiled. The Civil War liberated from military service many ardent young Republicans desirous and capable of sharing in public affairs. Among these was a St. Paul attorney, Cushman Kellogg Davis, a native of Wisconsin, who had been graduated from the University of Michigan. He had done good service as a line officer in a Wisconsin regiment and as a staff officer under General Gorman. His ability and diligence as a lawyer soon gained him prominence at the bar, and his personal qualities attached to him a circle of influential friends. He was not greedy for minor offices,

but served in the legislature in 1867 and was appointed, a year after, United States district attorney, at the instance of Senator Ramsey. A lecture on "Modern Feudalism" first delivered in 1870, in which he portrayed the growing dominance of corporations, gave proof of powers of insight and analysis above the ordinary. When the Republican state convention met in St. Paul on July 16, 1873, the old dynasty had no other expectation than that the nomination for governor would fall on its worthy favorite, the Hon. William D. Washburn. Few expected that Mr. Davis, whose loudest support had come from an independent St. Paul newspaper, would receive more than a complimentary vote. On the informal ballot he did not, nor on the first formal ballot. Three more ballots followed, on the last of which the favorite of the "young Republicans" was nominated by a vote of 155 to 152, 154 being necessary to a choice. As Mr. Davis's nomination came by a slender majority, so also was his election secured by a majority of about one fourth of the nominal Republican strength. His friends had made no secret that the governorship was desired by them merely as a stepping-stone to a national senatorship. The old dynasty evidently did not expect much money or labor on that election.

Mr. Davis's governorship during the years 1874-75, a period of depression and discouragement, was not marked by notable events. His messages were admirable for literary style, and, while counseling

economy in expenditure, advised liberality towards the schools and the university. His radical suggestion as to the unfinished St. Paul and Pacific Railroad was that the bondholders in control should presently put up the money to complete the lines, or the state should have them turned over to responsible parties who would do so.

Senator Ramsey's second term was expiring in March, 1875, and it was no secret that he desired and expected a reelection. Mr. Davis was an avowed aspirant, but there were other gentlemen who did not intend that the choice should fall to him in case of Mr. Ramsey's rejection. The Republican caucus met on January 14, 1875. Mr. Ramsey's friends were far in the lead, and on the last vote of the session lacked but two votes to nominate. Confident of success, they consented to an adjournment demanded by the "field." The field had but one desire in common, to get Senator Ramsey out of their daylight. On reassembling the following night one third of the members were absent or did not vote. The two votes lacking to Mr. Ramsey on the previous evening appeared, and he was formally nominated. But the vote did not compel the unanimous support of the Republican members. On the separate voting in the two houses on January 19, Mr. Ramsey had 60 votes, 74 being necessary to elect. On the 20th the houses met in joint convention and proceeded to ballot. Mr. Ramsey received 61 votes, his maximum. Davis received 24, and at no time

any greater number. Mr. Donnelly, the nominee of the Democrats and "Greeleyized Republicans," had 51 votes. The balloting now proceeded from day to day, on most days but one being had. On the 27th Mr. Donnelly withdrew, alleging that Democratic members failed to give him the support he was entitled to as a regular nominee. Hon. William Lochren, a Civil War veteran highly respected for personal character and legal ability, was put in his place and commanded the full strength of the opposition, sixty-four votes. On February 13, after seventeen ballots, Ramsey and Davis were withdrawn, but it was not till the 19th that the eighty-two Republican votes could be concentrated on the Hon. S. R. J. McMillan of Stillwater, a highly respected citizen and a judge of the district court. His career in the national Senate, by no means brilliant, was characterized by such diligence, good sense, and party fidelity that there was no notable opposition to his reëlection six years later. Mr. Davis did not seek reëlection as governor, but resumed his law practice, and not long after published an ingenious essay on "The Law in Shakespeare."

The ambition of certain young men, who could well afford to wait, and who did wait for promotion, lost to the state and nation the services of a wise and experienced legislator. President Hayes called Mr. Ramsey into his cabinet as secretary of war, and temporarily devolved on him the duties

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of secretary of the navy. Retiring from public life, he continued for nearly a quarter of a century to enjoy the esteem and gratitude of citizens of all parties and persuasions. For many years he presided over the Minnesota Historical Society and its executive council. He died April 22, 1902.

The legislature of 1860 in a spasm of retrenchment fixed the salary of the state treasurer at \$1000 a year, and it remained at that figure for a quarter of a century. The business and responsibility increased from year to year, but no addition was made to compensation. In the absence of express prohibitory legislation a custom grew up of depositing the state's money in banks which paid an interest to the treasurer, the bank proprietors becoming his sureties. No mischief resulted from this arrangement. But in one case, at least, that of Emil Munch, a treasurer did not content himself with merely depositing in banks, but in private enterprises employed the state's money to a large amount. By contrivance or good fortune his brother-in-law, William Seeger, succeeded him in office, rather than some stranger. This relative obligingly took the promissory notes of his predecessor and other "paper" and receipted for them as cash.

The treasurer's report for 1872 showed a balance of cash in the treasury of \$243,000. A newspaper editor in St. Paul, with no other motive than, in his own phrase, "to raise hell and sell papers," gave expression to the open secret that much of

this money was not in fact in the treasury, as reported, and challenged the Republican legislature of 1873 to investigate the Republican treasurer. Nothing less could in decency be done, and the investigation revealed a shortage of \$180,000. The house of representatives passed a resolution of censure and awaited the resignation of the unlucky official. No resignation appearing, the same body on March 4 made an "imperative demand" for one. Mr. Seeger replied in writing, admitting that he had found a deficit on taking office, but declaring that every dollar had been made good and the state would suffer no loss. His bondsmen had raised and paid in the money. The house, however, could not content itself with restitution alone, and submitted articles of impeachment to the senate. After the trial had begun, Mr. Seeger offered his resignation, which was accepted by Governor Austin. The impeachment proceedings, however, went on and resulted in a conviction. The legislature took the obvious lesson to heart, and raised the salary of the state treasurer to \$4000.

Public education made notable progress in Minnesota during the half decade beginning with Governor Austin's administration. The services of Horace B. Wilson as superintendent of public instruction during the period advanced the good work begun by his predecessor. Both felt obliged to argue the cause of public schools to be kept free from



ecclesiastical meddling. It was not, however, till 1877 that the amendment to the state constitution, forbidding the use of any public funds or property for the support of sectarian schools was adopted by the electors. Spite of much unreasoning prejudice against the state normal schools, they prospered, but were inadequate to supply the demands of over three thousand common schools for trained teachers.

The faculty of the University of Minnesota, who in September, 1869, enrolled a small handful of freshmen, saw that dwindling till but two survived at the end of the four-year course, to be graduated as bachelors in June, 1873. The time of the teachers was spent and well spent on the preparatory students who were later to fill the college classes. The first commencement was celebrated with no little circumstance, and had its effect on a public not yet certain that the state had any concern with college education. That question was much debated in those years, and there were plentiful outpourings of orthodox denunciation of the state university as hopelessly and necessarily "infidel" and "godless." The regents were affected by this respectable opposition, and unduly moderated their requisitions for appropriations.

Upon the advice of the president of the university (the author of this book), the regents in 1870 prematurely adopted a novel plan of organization. The underlying principle was the fact that

the work of the first two years in American colleges is "secondary" in its nature, and according to any scientific arrangement should be performed in secondary institutions. They therefore merged the studies and exercises of the freshman and sophomore years with those of the preparatory years into a so-called "Collegiate Department." The plan was approved by the highest educational authorities of the country, but the faculty, conservative and indisposed to break away from tradition, could not give it a united support. There were but trifling difficulties of operation, but when a new administration came in, with its differing interests, the plan was allowed to lapse. The principle has since been recognized by two leading American universities.

Account has already been taken of the first congressional land grant, that of February 19, 1851, "reserving" for the support of a territorial university seventy-two sections of public lands. When the enabling act of 1857 was before the House of Representatives, Delegate Henry M. Rice secured a modification of the traditional tender of lands for university purposes. The enabling acts of Michigan, Wisconsin, and Iowa had provided that the lands previously reserved from sale for university support should be granted and conveyed to the respective states. Delegate Rice quickly saw to it that the corresponding section of the Minnesota act should read, "that seventy-two sections of land shall be set apart and reserved for the use and sup-

port of a STATE university *to be* selected by the governor of the state. . . ." Why no claim was presented for the additional university reservation, apparently authorized by the enabling act of 1857, till 1860 is not known, but when then made, it met with no hospitality. No secretary of the interior or commissioner of the general land office would construe the paragraph as having any other intent than to guarantee to the state the reservation of 1851 made to the territory. The correspondence revealed the fact that the original reservation had not been "granted and conveyed" to the state. The mortgages placed on the lands and the devastations permitted had therefore been illegal. It took an act of Congress, that of March 2, 1861, donating the lands reserved in 1851, to remedy this omission.

Ten years ran by after the passage of the enabling act, and Minnesota's claim for a double portion of university lands had not been allowed. On February 8, 1867, the legislature authorized the special board of regents to employ counsel to prosecute the claim on "a contingent compensation in land or money." The person employed rendered such effective aid to the member from the university district that Congress was moved to direct the commissioner of the general land office, by an act approved July 8, 1870, to ignore the reservation of 1851 and allow Minnesota to take the seventy-two sections mentioned in the enabling act of 1857.

The successful counsel was voted by the regents a compensation of 1950 acres of land. As these acres were promptly located in the pine region of Itasca County it may be assumed that the remuneration was satisfactory.

Upon the initiative of the president of the university the legislature of 1872 authorized a geological and natural history survey of the state, and placed the same in charge of the board of regents. In a later year the twelve sections of land donated by Congress in the enabling act of 1857 for the development of possible salt springs or deposits, less some deductions for fruitless exploitations, were turned over to defray the costs of the survey. Professor Newton H. Winchell was appointed state geologist, and remained in office for twenty-four years. The geological results of the operations conducted by himself and assistants may be found in twenty-four annual reports, ten bulletins, and a final report in seven quarto volumes. Two additional volumes of botany and one of zoölogy were published. Much remains to be done on the natural history branch, and important geological investigations of scientific interest were left incomplete when that work was suspended. The survey has been economically worth to the state far more than it cost, and the reports will remain as a noble monument to their authors.

## CHAPTER XVII

### CLEARING UP

WHEN the Republican state convention assembled on July 28, 1875, its first informal ballot virtually selected the successor of Cushman K. Davis in the governorship. The distinction fell on John Sargent Pillsbury, who had proved his capacity for public affairs by ten years' service in the state senate and on the board of regents of the university. A successful business career, a reputation for inflexible integrity, a power to select from varied propositions the one which could be carried and worked, and a keen insight into human nature gave him an influence with legislatures and the people rarely equaled. Two reëlections were accorded him as by common consent. The varied events and incidents of his six years' service are so related that, while forming a whole, they may be thrown into convenient groups.

After the harvest of 1875 Governor Davis appointed a commission to investigate the locust devastations, and placed on it Allan Whitman of St. Paul, a man of science. The report, by giving in simple language an account of the vermin, their manner of propagation, and the stages of

their growth, suggested the principles upon which their ravages might be restricted, and, when new invasions did not take place, actually repressed. Early in the season of 1876 Governor Pillsbury issued a proclamation commending to the farmers of the infested districts the advice of the commission to attack the "hoppers" immediately after hatching. By digging ditches around fields and gardens not infested, the vegetation could be protected. For the rescue of crops somewhat grown he recommended a simple apparatus which got the popular name of "hopperdozer." It consisted of a piece of sheet-iron twelve feet long or more, turned up on the back edge and ends. By means of ropes attached to the front edge, at or near the ends, it could be hauled by men or animals over the surface of the field. The upper surface of the pan, smeared with coal tar, imprisoned the insects till they could be scraped out at convenient intervals. By such simple devices considerable areas of crops were rescued from total destruction. They were of course useless after the appearance of wings on the creatures; and the havoc of the previous season was repeated, particularly in the southwestern counties. These Governor Pillsbury visited in person, and, after witnessing the ruin and distress going on, called for contributions in relief. The response was immediate and generous, and with the aid of his wife the governor attended personally to the distribution. The damage extended in



this year to twenty-nine counties south of Otter Tail Lake and west of the watershed of the Mississippi. The worst of all was that at the close of the season these counties were "literally peppered" with locust eggs. The outlook for the coming season caused deep anxiety. The legislature of 1877 authorized a loan of \$75,000 to be advanced to farmers for seed, and empowered county commissioners to levy a tax for the destruction of locusts and their eggs. In the spring the hatching began in alarming volume. Governor Pillsbury, in the expectation that the expense would be reimbursed, distributed 56,000 pounds of sheet iron and 3000 barrels of coal tar for "dozers." Where these were diligently operated the damage to crops was reduced.

On April 10, 1877, in response to an expressed desire of various religious bodies, Governor Pillsbury appointed the 26th of that month as a day of fasting, humiliation, and prayer: "In the shadow of the locust plague," said he, "whose impending renewal threatens the desolation of the land, let us humbly invoke for the efforts we make in our defense the guidance of that hand which alone is adequate to stay the pestilence." The day was observed in a goodly number of congregations, but there was no great and general humiliation of the people, and there was no immediate evidence of supernatural interference. The infernal brood grew wings and began their aerial excursions in various

directions. In the last days of June the swarms began rising high in the air and taking flight on different bearings. In the course of sixty days all had so risen and flown out of the state to unknown destinations. Although they had wrought damage equal at least to that of any previous year of their residence in Minnesota, the state as a whole harvested the greatest wheat crop in her history, — 30,000,000 bushels, of sixty-three pounds to the bushel.

In spite of the ruin wrought in so large a portion of her territory, and of minor and ordinary losses, the period in view was one of prosperity. The population, which had risen from 439,706 in 1870 to 597,407 in 1875, increased to 780,773, according to the census of 1880. The wheat crop, which had been 30,000,000 bushels in 1875, touched 40,000,000 in 1880. The most striking evidence of material development is seen in railroad building. In the four years 1873-76 but 87 miles had been added to the 1900 miles of construction in the eleven years ending with 1872. This mileage was increased in the six years beginning with 1877 to 3278; 446 were added to the St. Paul and Pacific (now Great Northern) system.

How a corporation left in the panic year 1873 in a condition of hopeless bankruptcy was resuscitated and put into vigorous life is a story which the reader will be interested in. The "Division

roads," the main line from St. Paul to Breckenridge and the branch to St. Cloud, had gone into a receiver's hands in August, 1873. The "Extensions" to St. Vincent and Brainerd, of which 140 miles in detached portions had been built, remained in the control of the stockholders till October, 1876, when they were turned over to trustees of the bondholders, according to the terms of the company's contract with them. These trustees employed as their general manager the same gentleman who for three years had been receiver of the Division roads. The stockholders having given over the task of completing the roads and retaining ownership, it remained for the bondholders to decide between putting in several more millions of dollars to complete and equip the roads, or giving up and letting the property go to sale under pending foreclosure proceedings. Had they taken the former course and selected honest and capable agents, they would have not merely escaped great losses but realized large profits. The greater portion of the bonds of the system, over \$17,000,000, were owned in Holland, and they had been placed by their holders in the hands of a syndicate of Dutch bankers to be controlled for the common interest.

The drift of affairs had been watched by three deeply interested persons. Donald A. Smith, residing at Winnipeg and representing that city in the Dominion parliament, was chief commissioner

of the Hudson's Bay Company. That company had many millions of acres of land in Manitoba, and was desirous to obtain railroad connections through Minnesota with the outside world. He particularly desired the completion of the St. Vincent Extension. Another was Norman W. Kittson, an old associate of Sibley in the fur-trade and politics, still interested in the Red River trade. The third was James J. Hill, who had come from Canada to Minnesota as a boy of eighteen in 1856. He had been in Mr. Kittson's employ in his Red River business, had built up a rival line of steamboats and barges, and made it for Mr. Kittson's interest to take him into partnership. These three men had journeyed up and down the Red River till they knew every foot of the stream and the lands drained by it. Early in 1874 Mr. Smith asked Messrs. Kittson and Hill to collect for him all the information accessible in regard to the St. Paul and Pacific system, its lines completed or unfinished, its terminals, equipment, land grants, and in particular the stock and bonds. The consultations which followed were fruitless. "There seemed no way to get in."

Two years later, when it became evident that the Dutch bondholders were bound to realize what they could and let the properties go, there appeared a way to get in. 1876 was one of the grasshopper years in Minnesota. The crop was light and prices were low. Rates and fares were so high as to discourage railroad traffic. The net earnings of

\$300,000 on the system were a drop in the bucket compared with the interest charges of nearly \$2,000,000. In March, 1876, Mr. Hill and Mr. Smith were again in consultation, and resolved on an effort to obtain control by buying all, or nearly all, the bonds held in Holland. Delays and discouragements postponed action. It was not till May, 1877, that Mr. George Stephen, president of the Bank of Montreal, was induced to consider taking a hand in the deal. In September, after a visit to Minnesota, he went to England in full expectation of enlisting the necessary capital, the Dutch committee having accepted a conditional offer of cash for their holdings. To his surprise Mr. Stephen found no English capitalists willing to send good money where so much bad money had gone. To all appearance the project was a failure. The associates, however, learning that the Dutch were still fierce to sell, submitted to them in January, 1878, a proposition to buy their bonds at agreed prices and pay in the bonds of a new company to be formed, which should buy the properties at the now impending foreclosure sales. As a "sweetener" they were willing to throw in \$250 of six per cent. preferred stock with every \$1000 bond of the new company.

In the articles of agreement signed March 13, 1878, the Dutch committee agreed to this proposition and consented to extend the time of payment for their bonds six months after the last of the six



foreclosure sales. For their 17,212 one thousand dollar bonds, including coupons for unpaid interest, they accepted \$3,743,150. The associates bought large amounts of "minority bonds" at similar figures. As they agreed to pay interest on the bonds of the new company at seven per cent., they were empowered to take immediate control and operation of the completed lines and to resume construction on the St. Vincent Extension, whose completion was greatly desired. On May 23, 1879, the St. Paul, Minneapolis and Manitoba Railway Company was organized, and at the foreclosure sales in the following month bought all the franchises and assets of the expiring St. Paul and Pacific Railroad Company, including those of the Division lines. Mr. James J. Hill at once became the general manager of the roads, and began a career of railroad operation with few if any equals in the country. Better times had come, but it was mainly the vigor, economy, and discipline of the management which soon swelled the earnings into millions.

The great financial exploit of the "associates" was followed by tedious, exasperating, and costly litigation. About the time of the foreclosure sales in June, 1879, Jesse P. Farley, who had been receiver of the Extension roads and general manager of the Division lines, brought suit in the district court of Ramsay County against Messrs. Kittson and Hill to recover from them one third



of all moneys, securities, and effects which were accruing to them from the operation. In his complaint Mr. Farley alleged that "in the summer of 1876" a parol agreement had been made by the defendants and himself to undertake jointly the purchase of the bonds of the two railroad companies, the three to share equally in the net proceeds. In his testimony, he deposed that the two defendants had no knowledge of the great opportunity until revealed by him at the time mentioned. It was because of his intimate knowledge of the affairs of the companies, of his understanding of railroad finance, and his long experience as a railroad manager, that they were unwilling to make any adventure without his coöperation; and, to induce him to enter into the contract, they agreed to consider his knowledge and skill equivalent to the money they would severally procure. This part of the bargain was to remain a secret. The defendants denied that any such contract had been made, or that any conversation in relation to such an agreement had ever been had. They had been familiar with the condition and finances of the companies long before the time of the alleged contract. The district court found in favor of the defendants, as also did the Supreme Court of Minnesota on appeal. The Supreme Court, however, appears to have considered that there was a contract between the parties, but that it aborted when in the late fall of 1877 the "associates" were balked in the effort to borrow

money in England with which to buy the bonds for cash.

Encouraged by this recognition of a contract, Mr. Farley brought suit in the United States District Court for Minnesota in December, 1881, setting up substantially the same allegations. Defeated here, he took an appeal to the Supreme Court of the United States, which in 1887 remanded the suit to the Circuit Court for a novation of proceedings. The printed pleadings, testimony, exhibits, and arguments fill more than five thousand octavo pages. The Circuit Court held with the defendants that no contract had been made, and that the plaintiff, standing in the relation of a trustee, could not honorably or legally have embarked in any such enterprise.

When Farley's appeal reached the Supreme Court of the United States, in October, 1893, that tribunal sustained the decision of the Circuit Court so far as it denied the making of the alleged contract. The plaintiff had not proven his allegations, and his story was inherently improbable. The court had no occasion to pass on the impropriety of an agreement never made.

In his inaugural address of 1870 Governor Austin mentioned as a notorious fact the frequency with which county treasurers retired from office with much more wealth than they possessed at the time of their elections. To secure this office, cau-

cuses and conventions were packed and votes secured by methods little short of outright bribery. But there was no response from the legislature. It was not till Governor Pillsbury's second term that the legislature of 1878 yielded to his urgent recommendations and passed the act providing for a public examiner. It was made the duty of this officer to supervise the bookkeeping of all state banks and institutions and all state and county auditors and treasurers. He was authorized to prescribe correct and uniform methods of bookkeeping. He was required to visit all these institutions and officials without previous warning, and verify and inspect all the moneys, assets, and securities held by them respectively. His powers extended to railroad companies, so far as the exaction of gross-earnings taxes was concerned. The first appointee, Henry M. Knox, performed the duties with such intelligence and industry as to place the state under lasting obligations. In his last message (1881) Governor Pillsbury expressed his satisfaction over the operation of the law by saying: "No single act of legislation in this state has ever been productive of more good in purifying the public service than the creation of the office of public examiner."

The penalty for homicide in the first degree had, from the beginning of organized government in Minnesota, been death without alternative. An act of March 5, 1868, laid on the trial jury the duty of deciding whether the convicted murderer should

suffer death or imprisonment for life. Governor Davis in two messages strongly denounced this leaving the penalty for murder to the caprice of juries, citing a case in which one of three convicts equally guilty was put to death, while the others received a sentence of life imprisonment. A tragical incident brought the attention of a later legislature to the matter and caused a return to traditional policy. On September 6, 1876, eight men from Missouri, armed and mounted, rode into the village of Northfield in Rice County. Two of their number entered the bank and ordered Heywood, the cashier, to deliver the money. On his refusal they shot him dead and wounded his assistant. Securing a small amount of booty, the robbers passed out to find their companions engaged in a fusillade with citizens who had found arms and chosen points of vantage. One unarmed citizen had fallen, and two of the bandits had dropped dead from their horses. The survivors rode away with all possible speed, firing at citizens who showed themselves on the streets. After a pursuit of some days, four of the bandits were surrounded in a swamp near Mankato. One was killed and three brothers named Younger were captured. Two had evaded pursuit and escaped from the state. Upon arraignment the three Youngers pleaded guilty, and, as there was no occasion for a jury, received sentences of life imprisonment. They were model prisoners. One died in 1889, another com-

mitted suicide in 1902, and the third was pardoned in 1903.

The political campaign of 1878 in the third (the Minneapolis) district, was diversified by a personal contest of more than local interest. The Republican candidate for representative in Congress was William D. Washburn, who had been an aspirant in 1868, but declined the candidacy because of the great defection led by Ignatius Donnelly. The Democrats, doubtless according to an understanding, made no nomination, thus virtually throwing the party vote over to Mr. Donnelly, who had been named as the candidate of the Greenback Labor party. Ignoring national issues, Mr. Donnelly appeared as the champion of the Minnesota farmers oppressed by the railroads and the Minneapolis Millers' Association. It was charged and widely credited that this organization was fixing the prices of wheat at every railroad station in the state. This it was doing by direct dictation to buyers, and also indirectly through the making of grades. There was in use for inspection and grading a small cylindrical vessel of brass with an attached scale beam, which the farmers were told could be so manipulated by a practiced hand that it would yield three grades of wheat from the same bag full. It was charged that the association buyers not only undergraded, but also reduced the prices for lower grades out of all just proportion. Mr.



Donnelly never had a finer opportunity for the exercise of his unequalled powers of ridicule and invective. He denounced his opponent as the willing tool of the corporations and the Millers' Association. He perambulated the district haranguing great crowds, whom he convulsed with scornful tirades upon "the swindling brass kittle."

The "brass kittle campaign," however, resulted simply in reducing the normal Republican majority of the district from 10,000 to 3003 votes. But Mr. Donnelly obtained a majority of nearly 500 of the country vote. When Congress met in December, 1879, Mr. Donnelly appeared as a contestant. He claimed that the count had gone against him by reason of illegal ballots, of bribery, and of the colonization of voters. The House committee on elections lingered long in their investigation, partly because it was diversified with an episode which for the time attracted more interest than the contest itself. A letter addressed to the chairman of the committee, Springer of Illinois, made him an offer of \$5000 to keep Washburn in his seat. The authorship was later fixed by a special committee of investigation on one Finley, a friend of Donnelly. They did not find that Mr. Donnelly had inspired the letter or had known that it was to be written and sent. The alleged object, of course, was to so incense Springer against Mr. Washburn that he would immediately swing his committee for the innocent contestant.



Still it was a Democratic House, willing, according to abundant precedent, to seat its partisan contestant if any plausible explanation could be invented. On the last day of the session two reports came in from the committee on elections, each signed by five members. The committee had arrived at no conclusion. The House ordered the reports printed and recommitted, and that was the last ever heard of the contest. Mr. Washburn served out the term with great satisfaction to his constituents, and was accorded two reëlections by majorities which nobody had occasion to question.

Ignatius Donnelly thus closed his career in national politics. He appeared later in two or more state legislatures, and was editor of several short-lived weekly newspapers. In early life he had published a small volume of poems and some prose essays in which he gave assurance of literary ability. His occupation as statesman gone, he now turned to authorship. In the winter of 1880-81 he composed a geographical romance, entitled "Atlantis, the Lost Continent." He dressed the ancient classical legend in such attractive garb as to interest a great body of readers, serious and other. Many editions have been published. This work was followed by another, similar in character, under the title of "Ragnarök." The author elaborated the ingenious theory that the mantle of drift covering large portions of the northern hemisphere had been landed where it lies, when the earth at some time

crossed the orbit of some great meteor. This fascinating book was also widely read. Mr. Donnelly next took up the study of a question which had already been among his recreations, that of the authorship of the plays and poems of Shakespeare. His "Great Cryptogram" of a thousand octavo pages contains the results of "an incalculable labor, reaching through many weary years." In the first part of King Henry the Fourth, Mr. Donnelly professed to have discovered the key to an involved cipher showing that Francis Bacon, Nicholas Bacon's son, had a mysterious connection with that work, although making no clear and direct claim to its authorship. There was a bewildering array of "root numbers" and "modifying numbers," beyond the understanding of the wayfaring man. No hidden secrets were revealed by the ingenious and complicated computations, and no additions to historical knowledge were obtained. But Mr. Donnelly only claimed to have made a small beginning of a great work left to future investigators. The book, however, excited great interest among people concerned with the Bacon-Shakespeare controversy, and formed a notable addition to that literature. In 1889 the indefatigable author brought out a novel under the title "Cæsar's Column," being a graphic and horrible picture of the fancied results of the sway of an unbridled plutocracy in America. Published at a happy moment, the book was sold by hundreds of thousands of copies, not only in America, but in

translated versions in Europe. The first edition appeared under the name of Edmund Boisgilbert, and the author had no little difficulty in finding a publisher. In another novel, "Dr. Huguet," the author appealed for a humaner treatment of people of color, but the public did not respond by buying largely. Later ephemeral volumes and pamphlets added nothing to the repute of a Minnesota author known wherever the English tongue was spoken.

The superintendent of public instruction during the Pillsbury administrations was the Rev. David Burt. Although his education was clerical and his educational experience brief, by a conscientious devotion to the novel duties he carried forward successfully the work of his predecessors. He did much to annul the chronic opposition to the normal schools, and justified the regents of the university in asking more liberal appropriations for buildings and appliances, in spite of the small numbers of its early graduating classes. He persuaded the legislature with no little persistence that the common school fund should be distributed to the districts according to the number of children attending, and not according to the census of those of school age.

The legislature of 1877, acting under an amendment to the constitution adopted two years before, extended to women the right to vote on all measures relating to schools, including the choice of school officers; and "to hold any office pertaining solely

to the management of schools." A later constitutional change extended this privilege to library officers and measures. It has been effectively exercised in but few instances.

In his annual message for 1874 Governor Austin advised the legislature that the text-books used in the common schools were sold to parents at exorbitant prices fixed by a convention of the publishing craft, but made no definite suggestion for relief. Ignatius Donnelly, who was in the state senate continuously from 1874 to 1878, took the lead in an effort to emancipate the people from the tyranny of the school-book ring. His favorite plan was to have the state print books prepared by competent experts and distribute them free to the schools. Two bills for this purpose were passed by the senate and defeated in the house. In 1877 a well-known book dealer of St. Paul came forward with a proposition to furnish text-books as good as those in use for half the prices exacted, provided he could have a fifteen-year contract. To this the legislature agreed, and the contract was made and executed. Mr. Donnelly's biographer claims that the saving to the state in that term was at least \$2,839,765. There is no positive evidence of the allegations that large amounts of money were used to defeat the bill.

In all the territories of the Northwest as they were successively carved out of the old Northwest Territory, provisions were made in their organic

acts for universities, to be endowed by grants of land from the general government. That universities could not in fact appear and exist until after the development of fitting schools did not trouble the pioneers, intent chiefly on getting the lands. The reliance of American colleges generally for the preparation of their students had been upon the excellent academies, controlled or countenanced by Christian denominations, which were the ornaments of so many eastern villages. The academy did not multiply nor flourish in the West. Ambitious cities existing on highly colored lithographic maps could tolerate nothing less than a college or university. A score of them were chartered in Minnesota in the fifties. All the western colleges were obliged to open preparatory departments, and it may be said that they have never done more useful service than in thus setting patterns for the secondary education of the future. When the University of Minnesota began college work in 1869 there were practically no efficient preparatory schools in the state. After a study of the situation the president of the university formed the opinion that it was to the budding high schools of the state that the university must look for its supply of students prepared for college work. At the state teachers' convention of 1872 that body was asked by a committee from the board of regents to join in an endeavor to bring about a vital organic connection between the high schools and the univer-



sity. It was not proposed that these schools should be made over into mere "fitting schools," but that, while performing their great function as "people's colleges," they should accommodate those worthy and ambitious youth desirous to carry their school and professional educations still farther. The idea was not unwelcome, but it was not easy to work out a plan of vital, organic connection. Yet one was worked out, embodied in a bill drawn by the head of the university, and laid before the legislature of 1878. The law enacted provided for a money payment out of the state treasury to any high school which, having the proper faculty and equipment, would maintain preparatory courses of study, and admit thereto pupils of both sexes from any part of the state, free of tuition. The schools were obliged to submit to inspection and make reports to the "high school board." The high schools of cities and villages were thus employed as the state's agencies for extending free secondary education to all the youth of the state. A beginning was made under the law in the year of its passage, but owing to an omission in an appropriation bill it was not put into full and effective operation till 1881. The results have fully equaled all reasonable expectations. The university, the high schools, and the common schools of Minnesota have been converted from a loose aggregation into a complete, harmonious, organized system. There is open to every child of the state a course of free



school education from the kindergarten to the doctorate of philosophy.

On May 2, 1878, soon after seven o'clock in the evening an explosion took place in the Washburn flour mill in Minneapolis. The report was heard at great distances, the windows in neighboring streets were shattered, and not one stone of the great building was left on another above the foundations. Two other mills of less capacity, standing near, blew up within a few seconds, and three others took fire and were completely destroyed. It was the hour for the change of shift of day to night crews, or many more than eighteen men would have lost their lives. The insurance companies, when called upon to pay their losses, demurred, taking the ground that they had insured against fire only, and not against chemical explosion. Mr. Louis Peck, the instructor in physics in the University of Minnesota, attracted by the problem, conducted an exhaustive course of experiments to ascertain the truth of the matter. Some of them were exhibited to the public. His conclusion was that the mills were destroyed by a true fire. He found that any carbonaceous dust, flour, starch, or even sawdust, diffused through the atmosphere, would take fire and burn with an incalculable rapidity from a spark or flame. His testimony compelled the payment of the insurances. The statement of a Minnesota historian that this excel-

lent bit of scientific work was done by a professor in Berlin is erroneous.

Even more disastrous was a fire which on November 15, 1880, destroyed a wing of the hospital for the insane at St. Peter. Twenty-seven patients lost their lives. The state capitol, erected in 1853, took fire in the evening of March 1, 1881, while the senate was in session, and was completely destroyed. Fortunately no lives were lost, but the senators made their escape none too soon. The ceiling fell as the last of them reached the street.

The Fourth of July, 1880, was the two hundredth anniversary of the discovery of the Falls of St. Anthony by Father Louis Hennepin. The event was commemorated by a celebration held on the university campus, under the management of the Minnesota Historical Society, General Sibley presiding. The principal address was delivered by Mr. Cushman K. Davis. Archbishop Ireland charitably defended the Franciscan father from charges of untruthfulness on the ground that unauthorized interpolations were made in his original book. General William T. Sherman was present, and was heard in some happy extemporaneous remarks.

The reader already knows how the people of Minnesota, believing themselves to have been tricked and swindled by a combination of corrupt politicians and greedy railroad operators, forbade in 1860, by a constitutional amendment, their legislature to

make any provision for redeeming the special Minnesota state railroad bonds without their affirmative vote. The holders of the bonds refrained from attempts to secure recognition of their claims till after the close of the Civil War. The legislature of 1866 yielded to their urgency so far as to appoint a commission to ascertain who were then holding the bonds and at what prices they had obtained them. The working members of the commission were John Nicols and General Lucius F. Hubbard. It was in this year that the discovery occurred of 500,000 acres of public land coming to the state under the forgotten act of 1841. On Governor Marshall's recommendation the legislature of 1867, without waiting for the report of the Nicols commission, joyously devoted those acres to the redemption of the bonds. Under the constitutional amendment of 1860 the act had to run the gauntlet of popular vote. The electors turned down the bill by a decisive majority.

The Nicols commission reported to the legislature of 1868 that they had found 1840 of the 2275 bonds in the hands or control of 106 persons. The largest holder was Selah Chamberlain of Ohio, who had held the largest contracts for construction. He averred that his bonds had cost him "more than par" for work done and material furnished; and claimed the whole amount with interest to date as justly due him. Other holders had obtained their bonds by purchase as low as seventeen and one

half cents on the dollar. In response to allegations frequently repeated, that the grading done by Mr. Chamberlain for three of the four companies had never cost \$9500 a mile, the commission employed an experienced engineer to examine the work and make an estimate of what it should reasonably have cost. His figure was \$2843.42 per mile. The report of the Nicols commission did much to confirm the Minnesota people in the conviction that the men who had tricked and cheated them had no standing as honest creditors. Governor Marshall, however, believing that the innocent holders for value at least had just claims, urged the legislature to use the internal improvement lands to satisfy their claims. An absurd bill of 1869 he felt obliged to disapprove. Another of 1870, passed in response to an appeal in his closing message, proposing to turn over the lands at a price which would produce a sum sufficient to pay the bonds, became a law and was ratified by a large majority of the electors voting thereon. The legislature had imposed the condition that the act should not be in effect until at least 2000 bonds had been offered for redemption. But 1032 were turned in, and the act was futile. Governor Austin expressed his regret that the bondholders were unwilling to accept so "fair and equitable a compromise." The legislature of 1871 entertained a new proposition. The bill introduced provided for a commission whose first duty should be to ascertain and decide whether the

bonds were a legal and equitable obligation against the state. If the decision should be affirmative, the commission was to award to each holder the amount due him on the basis of cost, and deliver to him proper amount of new state bonds. The railroad taxes were to be devoted to the redemption of the new bonds. General Sibley had left his retirement and taken a seat in the house of representatives because of his desire to see the old bond matter settled. He had never wavered from his opinion that the state was a debtor to the full amount of the bonds issued. But for his influence the bill could not have passed. He would not believe that Minnesota would not at some time pay what she had promised to pay. Could he so believe, he declared in his speech, he would emigrate to some community in which he would not suffer the "intolerable humiliation" of living in a "repudiating state frowned on by a just and righteous God and abhorred by man." Governor Austin, although he sympathized with the popular feeling, did not disapprove the bill, but let it go to be mercilessly slaughtered at the polls. The people would not pay mere paper obligations without right or equity behind them. Such they held the bonds to be.

Having failed to obtain satisfaction from the political authorities, the claimants presently resorted to the courts. In 1873 Mr. Chamberlain, their representative, sued the St. Paul and Sioux City Railroad Company to recover from that company as



assignee of a portion of the land grant, which he claimed to be still subject to the mortgages authorized by the "five million loan bill." The decision went against him in the Circuit Court of the United States, and he took an appeal to the Supreme Court, to be there finally defeated. Both of these courts, however, took opportunity to declare that the bonds were legal obligations, and that if the state of Minnesota were suable no court of justice could refuse to adjudge her to pay. "Justice and honor alike" bound her to redeem her bonds. The state of Minnesota was thus branded by the highest judicial tribunals of the land as a defaulting, repudiating state, regardless of the claims of honor and justice. These opinions—they were not decrees—had little effect on the Minnesota people, most of whom never heard of them, but they did affect the minds of many of her public men, who smarted under the reproaches they could not help but hear. Governor Davis in his retiring message urged the establishment of a commission to arbitrate between the bondholders and the state. Governor Pillsbury in his inaugural address urged the payment of the bonds in full, to redeem the reputation of the state. To these appeals the legislators gave no heed. To the legislature of 1877 Mr. Chamberlain for himself and others submitted an offer to cut their claims in two and accept new six per cent. bonds in payment. To this the legislature promptly agreed, but



the electors in the following November put their veto on the bill. They did the same thing to an act of 1878 providing for an exchange of internal improvement lands for the bonds, differing in particulars from a previous act of the same general tenor.

In his messages of 1879 and 1881 Governor Pillsbury, under the heading of "Dishonored Bonds," entreated and implored the legislatures to pay the honest debt of the state and clear her tarnished honor. His earnest and impressive appeals had no effect on the former of the two, but the legislature of 1881 was moved to provide for a special tribunal, to be composed of judges of the supreme and district courts, to consider and decide whether the repudiating amendment of 1860 was binding on the legislature. If the tribunal should hold in the negative, then the old bonds were to be redeemed by new ones at fifty per cent. of the amount nominally due. Not one of the judges of the Supreme Court was willing to serve, and the tribunal was tardily made up of five district judges designated by the governor. The tribunal met and organized, and nothing more. An order from the Supreme Court required it to show cause why a writ of prohibition should not issue, on the ground that the legislature had not the right to establish such a tribunal. The attorney-general at the same time protested against its competency, and had leave to protest further that the act was repugnant

to the constitutional amendment of 1860, which forbade payment of the bonds unless after an affirmative vote of the electors. This pleading brought forward as the principal issue the validity of that amendment. The contentions were exhaustively argued in the Supreme Court by able counsel. The decision of the court was that the repudiating amendment of 1860 was obnoxious to that provision of the constitution of the United States forbidding states from passing any law impairing the obligations of contracts. The writ of prohibition issued and the tribunal dissolved. There was no appeal, and the Minnesota legislature was free to dispose of the bond matter without a referendum. Governor Pillsbury called that body to meet on October 11. The bondholders were ready and anxious to accept fifty cents on the dollar. A bill to issue new 10-30 four and one half per cent "Minnesota state railroad adjustment bonds," to a sufficient amount, was passed after some contention as to details. A companion bill devoting the proceeds of the 500,000 acres of internal improvement land was passed, and under constitutional requirement submitted to the electors in November, 1884. The vote stood: Yes, 31,011; no, 13,589. The presidential vote of the state in 1880 was 150,484. This vote, therefore, did not indicate so much a change of sentiment among the people as a willingness to have the old bond controversy quieted. The state's power to borrow at reasonable interest

had never been affected. Good judges were of opinion that the bondholders fared very well and could afford the liberal expenditures made to secure the legislation. The amount of new bonds issued was \$4,253,000, of which Mr. S. Chamberlain received \$1,992,053.70. Governor Pillsbury closed his third term by signing them, a duty he performed with great satisfaction. With this he retired from office, except that he served on the board of regents of the university till his death in 1902, the legislature having by special act created him an additional regent during his good pleasure. He had been on that board since 1863.

## CHAPTER XVIII

### FAIR WEATHER

WHETHER Governor Pillsbury could have been nominated for a fourth term may be questioned, but when he publicly declined a fortnight before the Republican convention, it was evident that among the aspirants to the succession the favorite was the gallant colonel of the Fifth Minnesota, General Lucius F. Hubbard. The nomination was his on the first ballot. He brought to the office a ripe experience in legislation and public affairs and a worthy ambition to promote the public welfare. He was easily accorded a reelection in 1882, and, by reason of a change made in the official year of the state, remained in office a fifth year. It was a period of marked prosperity, not greatly diminished by the commercial depression of 1883-84. The population of the state rose from 780,773 in 1880 to 1,117,798 in 1885, an increase of forty-three per cent. The urban communities had an excessive increase of nearly eighty per cent. ; Minneapolis increased from 46,887 to 129,200. Twelve hundred and sixty-nine miles of railroad were added.

Governor Hubbard's interest in organizations

and institutions for promoting the public health, improving the administration of the penal and charitable institutions, and the relief of superannuated soldiers was deep and continuous. With his hearty approval the legislature of 1883 enlarged the powers of the state board of health, which had been in existence for ten years with powers and resources much too limited. The executive secretary of the board for nearly the first quarter century was Dr. Charles N. Hewitt, whose conception of the state's interest and duty in preserving the health and increasing the physical efficiency of its members was in advance of his time.

It had been the policy of the state to intrust the care of her penal and charitable institutions to separate boards of citizens serving without pay. To secure uniformity of administration and to enable these separate bodies to profit from one another's experiences, a state board of charities and corrections was authorized by law in 1883. To the working secretary of this board for fourteen years, Mr. Henry H. Hart, must be accorded high praise for such unstinted and intelligent devotion to his duties that Minnesota's institutions of charities and corrections were accorded a place in the front rank. The state lost one of her most valuable servants by his deserved promotion beyond her borders.

Following Governor Hubbard's earnest advice, the legislature of 1885 established "The State

Public School " for neglected children, which under wise management by different officials has rescued from lives of crime or dependence many hundreds of homeless waifs. The reformatory for youthful delinquents and the Soldiers' Home, commended by him to the legislature, were established under the succeeding administration. His repeated recommendation that all moneys coming into county treasuries should be "covered in" through the county auditor's office fell on deaf ears, and that needed reform in our public accounting still remains to be wrought.

The sanction of the granger laws by the Supreme Court of the United States had established the principle that states have the constitutional right to regulate railroads; but Minnesota had not exercised the right in any vigorous or comprehensive way, partly because the companies had of their own motion moderated charges, improved their administration, and shown a disposition to treat the public with some respect. Still, complaints of extortion, unjust discrimination, and insolence were frequent, and by many believed to be well founded. Governor Hubbard in his first two messages urged the legislatures to take up these complaints and endeavor to frame a comprehensive statute which should secure to the companies their just rights and immunities, and at the same time protect the people in theirs. The result was the railroad law of 1885, chapter 188 of the session laws of that year.



This act, judiciously drawn, met the purpose of its framers so fully that amendment has been necessary only in points of detail. The historian at some far-off day will marvel that in the closing years of the nineteenth century it was necessary to compel common carriers by law not merely to serve the public at just and equal charges published in advance, but to provide common decencies and accommodations in the way of platforms, waiting-rooms, fire-extinguishers, and toilet-rooms.

Another measure successfully pressed upon the legislature by Governor Hubbard was that of public state grain inspection. The precarious and conflicting grades fixed by individual and associated buyers were the source of incessant dissatisfaction and complaint. Chapter 144 of the General Laws of Minnesota, 1885, established that system of inspection and grading since known and approved on both sides of the Atlantic. A warehouse receipt for a certain quantity of grain of a certain Minnesota grade became a definite asset. Because grain inspection necessarily involved the regulation and control of elevators, which in turn were closely related to railroads, the law placed the control of the system in the hands of the Board of Railroad Commissioners. The title of the board was changed to Board of Railroad and Warehouse Commissioners, and its powers were much extended and fortified.

Annual sessions of the legislature had ceased

with that of 1879, but elections continued to be held annually till 1886, from which year all United States, state, and county officers have been elected in the even-numbered years. All state and county terms of office begin on January 1 ; the fiscal year begins August 1.

Governor Hubbard called to the important office of state superintendent of public instruction David L. Kiehle, who, like his predecessor, had received a clerical education and had had slight experience in school work, but like that predecessor was able to throw himself unreservedly into the public school cause. During the seven terms (1881-93) he remained in office he labored with great fidelity and success to improve the schools of all grades. Institutes and summer training schools were promoted and a state tax of one mill was established to increase the efficiency of the common schools. By an act of 1885 school attendance was made compulsory for twelve weeks in each year.

In September, 1884, Cyrus Northrop, resigning his professorship in Yale College, assumed the presidency of the state university, bringing to the office large knowledge, a ripe experience in education and public affairs, and a remarkable gift for gaining effective support for reasonable measures. The president of the university and the state superintendent of schools being the two working members of the high school board, such effective operation was given to the "act for the encouragement of

higher education " that high schools in large numbers heartily took up the desired duty and presently began feeding the university with students fitted for college work. The university was thus enabled in 1890 to drop the last of its preparatory classes.

Whatever may have been whispered in political circles, it was general public expectation that when the legislature of 1883 should come to the election of a United States senator it would do nothing else than reëlect William Windom. He had resigned from the Senate in 1881 to accept a seat in Garfield's cabinet, but had been reappointed by the governor after the death of that President. Mr. Windom felt so confident of his reëlection that he remained at his post of duty in Washington and did not come to St. Paul until after the discovery by his friends of an indifference, not to say an opposition, needing his personal attention. The Republican caucus gave him a unanimous nomination, but the absence of fifty members was ominous. The election went to the joint convention of the two houses. After sixteen days of balloting the choice went to another. The causes of this defeat of the best man of Minnesota for the place were various. An old political quarrel in the first congressional district was a cause of no little disaffection; that Mr. Windom had built a costly house in Washington, impliedly asserting a permanent hold on the senatorship, furnished

excuse to some; the fact that he had been unwisely praised by admiring supporters alienated others. Intemperate censure of opponents by a leading newspaper favoring his reelection doubtless compacted the opposition. Mr. Windom was himself convinced that a liberal use of money was the effective means of his defeat.

President Harrison called Mr. Windom into his cabinet as secretary of the treasury, for whose duties his industry, his large training in public affairs and matured judgment fitted him. His life was suddenly ended on January 29, 1890, by a paralytic stroke coming at the close of a speech at a banquet in New York city.

On the evening of November 7, 1884, citizens of St. Paul gave a banquet in honor of General Henry Hastings Sibley, first state governor, celebrating his arrival at Mendota fifty years before. For the long series of honors and compliments bestowed on this first citizen of Minnesota the reader must resort to his biographer. In 1888 the trustees of Princeton College conferred upon him the honorary degree of Doctor of Laws, in consideration of "high personal character, scholarly attainments, and eminent public service, civil, military, and educational." General Sibley's death did not occur until February 18, 1891.

## CHAPTER XIX

### A CHRONICLE OF RECENT EVENTS

WITH the close of Governor Hubbard's administration, now twenty-one years ago, the connected story of Minnesota may properly end. Only after some lapse of years may the historian presume to view affairs with discrimination, selecting those of permanent significance from the trifling and transitory. He may, however, as a mere annalist, record such facts and events as seem to have more than momentary importance.

The governors of the state have been : —

NAME.	PARTY.	DATES.
Andrew R. McGill . .	Republican.	January 5, 1887, to January 9, 1889.
William R. Merriam .	Republican.	January 9, 1889, to January 4, 1893.
Knute Nelson . . . .	Republican.	January 4, 1893, to January 31, 1895.
David M. Clough . . .	Republican.	January 31, 1895, to January 2, 1899.
John Lind . . . .	Democrat.	January 2, 1899, to January 7, 1901.
Samuel R. Van Sant .	Republican.	January 7, 1901, to January 4, 1905.
John A. Johnson . . .	Democrat.	January 4, 1905, to

Mr. Nelson was elected to the United States Senate in the first month of his second term as governor. Mr. Clough, lieutenant-governor, succeeded him, and was elected governor for a second

term. Mr. Lind was the first Democratic governor after Governor Sibley, the first state executive. Both he and Mr. Johnson were elected in spite of the fact that Minnesota was and is overwhelmingly Republican.

Four United States senators only have been elected, all Republican. Cushman K. Davis, who in 1875 had balked Mr. Ramsey of a third term, but failed to secure his own election, went into retirement, devoting himself to his law practice, to literature, and to preparation for a public career to come in good time. He so commended himself to Republicans by his professional ability, his fine public addresses, and the moderation of his demands for advancement, that when the time came, in January, 1887, to fill the vacancy of Senator McMillan, about to occur, there was but one opposing vote against him in the Republican caucus. Ignatius Donnelly, who had temporarily returned to the fold, made a rousing speech of approval. The election followed as of course. In 1893 Mr. Davis was elected for a second term, but by a close vote. In 1899 he was accorded a third term with almost no opposition. He had made a brilliant record as senator and chairman of the committee on foreign relations. He served as one of the commissioners to negotiate the treaty of peace at the close of the Spanish war of 1898. Mr. Davis died in office suddenly, November 27, 1900.

William D. Washburn, who had retired from the



House of Representatives, did not reach his expected promotion to the Senate till 1889. At the close of his term he gave way to Governor Nelson, who has since been twice reëlected. Moses E. Clapp was elected in 1901 to fill the vacancy caused by the death of Senator Davis.

The Australian ballot system, established in 1889 for cities of 10,000 inhabitants or more, extended to operate throughout the state in 1891, was re-codified in 1893.

The legislature of 1899 passed a law providing for "primary elections" to replace nominations by party caucuses and conventions. The act is not operative in towns, villages, and small cities, and does not apply to state officers. The primary election takes place on the first of the registration days for the usual election, and is conducted by the same judges and clerks. Any person eligible to an office may, by payment of a prescribed fee and making a qualifying oath, have his name printed on the primary ballot of his party. Every qualified voter may, after registration, receive and mark the ballot of the party he "generally supported at the last election and intends to support at the next ensuing." The general election laws apply, and the usual penalties attach to misconduct. The experiment is still too brief to warrant a final judgment. It has certainly weakened the machine, and stimulated aspiration to office in persons whose qualifications are more apparent to themselves than to others. That candi-

dates for judicial positions are obliged to make a personal canvass is perhaps the feature most to be regretted.

When the capitol building was burned in 1881 the legislature, upon Governor Pillsbury's recommendation, immediately appropriated \$75,000 for rebuilding, on the assumption that the walls were sufficiently sound. This assumption was found mistaken, and additional sums were voted till more than four times the original amount was expended. But ten years had not passed before it was apparent that ampler accommodations were imperative for multiplying functionaries and expanding business. The legislature of 1893 accordingly authorized the appointment of a commission to plan, build, and furnish a new and appropriate structure. The local influence was sufficiently effective to keep the location in the heart of St. Paul, on an elevated site of small area, rather than permit erection on a larger area in the "midway district," still in that city, but near Minneapolis. The corner-stone was laid on July 27, 1898, by Alexander Ramsey. Senator C. K. Davis delivered the principal address. The legislature of 1905 was the first to convene in the completed building. The traditional plan of a central body flanked by wings and surmounted by a dome was followed, with the variation that the house of representatives is housed in a rear extension, leaving the wings to accommodate the senate and the supreme court. The exterior is of

Georgia marble. The interior corridors are faced with polished Minnesota magnesian limestones of charming tints, relieved by panels of foreign marbles. The interior of the dome, the senate chamber, the supreme court room, and the governor's office are splendidly decorated with mural paintings by leading American artists. Over the façade of the central structure rests a quadriga in bronze, typifying the progress of Minnesota. The total cost was \$4,428,539.72; and in this age the honorable commissioners need not resent as superfluous the record that there was absolutely no "graft" in the whole construction and furnishing. The architect, Mr. Cass Gilbert, a native of Minnesota, will be fortunate if he shall in his future career surpass the taste, skill, and nobility of conception displayed in this work. It is a splendid object lesson in civic architecture, not only to Minnesota but to neighboring commonwealths.

The legislature of 1905 adopted a new codification of the general laws of the state, which had been prepared by a commission of which Daniel Fish, Esq., was the working member. It has been published in a single volume of 1380 pages.

The penal and charitable institutions of Minnesota under the supervision of the board of charities and corrections had attained to the first rank for economy of administration and beneficial results. Two neighboring states made the experiment of disbanding the separate boards of trustees or man-

agers and placing all such institutions in the hands of a single "board of control." To be in the fashion the legislature of Minnesota in 1901 created a board of control of state institutions, and went so far as to include the university and normal schools in all their financial concerns. These, however, were in a later year exempted from the operation of the act and restored to their independence. It may be conceded that in point of finance the single board has justified the change, in spite of the fact that its members have been appointed on political considerations. Persuaded that there was danger of neglect in a board so composed and fully occupied with the business management of the institutions, the legislature of 1907 provided for a board of visitors to exercise a humanitarian supervision over the patients and inmates.

The people of Minnesota have not yet desired a revision of their constitution, content to live under the original statute of 1857 and to amend it casually from time to time. In the period now in view no fewer than seventeen amendments have been adopted, some of them of far-reaching importance. They may be enumerated:—

1. 1883, an amendment fixing January 1 as the beginning of the official year of the state, on which day all officers chosen at the previous election enter upon their duties.
2. 1886, an amendment authorizing loans upon interest from the permanent school fund of

the state to counties and school districts, to be used in the erection of county and school buildings. This provision, wisely guarded, has proved advantageous.

3. Of the same year, an amendment forbidding the enactment of any special law in all cases where a general law can be made applicable, and specifically inhibiting special legislation in fifteen cases. Its operation has been beneficial, but there have been instances where special legislation has been had under mere color of general.
4. 1888, an amendment limiting the sessions of the legislature to ninety legislative days, and forbidding the introduction of any new bill during the last twenty days, unless upon recommendation of the governor in a special message.
5. Of the same year, an amendment declaring any combination to monopolize markets for food products, or to interfere with the freedom of such markets, to be a criminal conspiracy, punishable as the legislature may provide. No action has yet been had.
6. 1890, an amendment authorizing the legislature to provide that an agreement of ten jurors in a civil action shall be a sufficient verdict. The legislature has not yet acted.
7. 1896, an amendment creating a board of pardons, consisting of the governor, the at-

torney-general, and the chief justice, with powers to be defined and regulated by law. The procedure of the board has been prescribed by statute. Its administration has been judicious, and the governor has been relieved of a duty exceedingly painful and difficult for any individual to discharge.

8. 1896, an amendment to the elective franchise article, taking from declarants for naturalization the right to vote.
9. In the year 1906 a so-called "wide open" tax amendment, repealing a large part of Article IX as formerly standing. It declares that "the power of taxation shall never be surrendered, suspended, nor contracted away." After exemptions of the ordinary kind, it leaves the legislature free to levy taxes according to its discretion, requiring only that they shall be uniform upon the same class of subjects.
10. 1898, an amendment granting suffrage to women of full age in school and library measures absolutely, and not merely allowing the legislature to extend the privilege.
11. In the same year, an amendment requiring a majority of all the votes cast at the election to ratify an amendment to the constitution. Up to that year a majority of the electors voting on the particular amendment was sufficient to ratify.



12. In the same year, an amendment creating a state highway commission and a road and bridge fund and authorizing a special tax therefor.
13. Also in 1898, an amendment authorizing cities and villages to adopt charters for their own government, to be drafted by a board of freeholders appointed by district judges; commonly called a "home-rule" amendment. An affirmative vote of four sevenths of the electors is necessary to adopt. In Minneapolis on four occasions, large majorities have favored "home rule," but the required four-sevenths vote has not been obtained.
14. 1904, an amendment authorizing the investment of the permanent school and university funds in the bonds of counties, towns, cities, villages, and school districts under prescribed conditions.

What place the tornado, the hailstorm, the locust, and such like destroyers have in the mundane economy; whether they are providential dispositions for the punishment of particular communities, or freaks of sheer diabolism, or resultants of powers imparted to nature playing under determining conditions, is a question which must be left to casuists, reverend and other. Minnesota can claim no exemption from such visitations. On April 14, 1886, a furious tornado struck the city of St. Cloud

and its suburb, Sauk Rapids, cutting a swath of desolation and destroying some seventy persons. In 1891, on June 15, a series of tornadoes traversed the counties of Martin, Faribault, Freeborn, Mower, and Fillmore, on a line nearly parallel with the Southern Minnesota division of the Milwaukee and St. Paul Railroad. Many farm buildings were wrecked and about fifty people killed. In previous years disastrous tornadoes had wrought havoc in New Ulm and Rochester.

In the fall of 1886 there was a descent of what were supposed to be ordinary grasshoppers in Otter Tail County. When in the following spring "hoppers" were appearing dangerously numerous, Governor McGill sent out the state entomologist, Dr. Otto Lugger of the university agricultural college, to investigate. He saw at once that the genuine Rocky Mountain locust was to be dealt with, and proceeded to organize the farmers for warfare on them. So effective was the campaign that thirty-five thousand bushels of the insects were caught and destroyed, and half the crops on about one hundred square miles saved.

On September 1, 1894, a fire broke out in the cut-over pine woods near Hinckley, in Pine County. A high wind prevailing, it spread and raged for many days. Eight villages, including Hinckley and Sandstone, and scores of farmsteads were completely destroyed. Not less than three hundred and fifty square miles were devastated. Four hundred

and eighteen persons lost their lives, and more than two thousand were left homeless. The property loss was not less than a million dollars. Governor Nelson appointed a relief committee of citizens, with Charles A. Pillsbury at its head. The estimated amount of relief furnished through this and the local committees was \$185,000. In the same year the chinch bug did much damage to growing crops in several southwestern counties.

At the outbreak of the war with Spain in April, 1898, Minnesota was first of the states to respond to the call of the President for volunteers, as she had been in the Civil War. Before the close of the month three regiments, — Twelfth, Thirteenth, and Fourteenth, — mostly recruited from the national guard, were assembled at St. Paul. They were mustered into the United States service May 7 and 8. The Thirteenth Regiment, commanded by Colonel Charles McCormick Reeve, was dispatched to the Philippine Islands and participated in the capture of Manila, August 13, 1898. It performed provost guard duty in that city till the spring of 1899, and formed part of Lawton's expedition to the interior. The regiment was mustered out in San Francisco in September, but was transported home in trains furnished by Minnesota cities, and on arrival in Minneapolis, October 12, 1899, was reviewed by President McKinley.

The Twelfth and Fourteenth regiments were sent to the grand rendezvous at Camp Thomas,

Chickamauga Park, Georgia, detained thereabout through the summer, sent home late in September, furloughed for thirty days, and mustered out November 18.

The Fifteenth, recruited from the state at large, was mustered in July 18, detained at Fort Snelling till September 15, and then sent to Camp Meade, Pennsylvania. A month later it was ordered to Camp Mackenzie, Georgia, where it remained till mustered out March 27, 1899.

The Thirteenth alone suffered losses in action. Its roll of honor shows officers and men killed, 5; died of disease or accident, 37; wounded, 44.

A detachment of the Fourteenth Minnesota saw some service, happily bloodless, in its own state. The Pillager band of Chippeway Indians on Leech Lake had long been complaining of injustice done them in the matter of the pine on their reservation, which they had been persuaded to sell. The prices paid them were ridiculously low, and the charges for appraisal and inspection as ridiculously high. Parties holding permits to cut "dead and down timber," cut live trees standing convenient. Repeated protests to the government had brought no redress. The deputy United States marshal, Sheehan (he of Fort Ridgely), undertook to arrest a chief who had given show of misbehavior. He resisted arrest, and a number of his braves rallied and stood off the marshal's posse. A company of sixty United States infantry was sent from Fort

Snelling, which was later reinforced by two hundred men commanded by Major M. C. Wilkinson and supervised by General Bacon. On October 5 the troops were landed on the peninsula known as Sugar Point, and a sharp little conflict followed which cost the lives of Major Wilkinson, Sergeant William Butler, and two privates. Two companies of the Fourteenth were recalled from furlough and distributed to stations of the railroad running north of Leech Lake. After repeated councils, at which the United States commissioner of Indian affairs was present, eight chiefs surrendered to the marshal, and the war ended. Governor Clough, in his message to the legislature of 1899, charged the United States government with a "series of acts and neglects most wrongful to the Indians" and with a "blunder more criminal in its results than those neglects and acts," the performance being the "climax of a long course of folly and wrong."

All branches of the public school system have been enlarged and improved. The common school endowment from the lands granted by Congress has increased to more than \$11,000,000. Sales of pine timber (\$3,500,000) and other items have swelled the fund to more than \$16,000,000. The state still holds millions of acres unsold. The excellent work of the normal schools, supplemented by that of the high schools, has greatly added to the number of qualified teachers. Opposition to



the normal schools, now five in number, has long since ceased.

Beginning with the year 1889, and the first graduations from the professional schools, the development of the university has surpassed all expectations. The total attendance in that year was 791, the number of degrees conferred, 52. In 1900 those numbers were increased to 2866 and 449 respectively. In 1907 they were 3955 and 507. It has been difficult to keep the buildings and equipment abreast of the needs of these developments, especially as the original "main" building has been once extensively damaged and later destroyed by fire. Despite inadequate compensation, the professorships have been filled with able and earnest men and women, but no small number of teachers whom the state and the institution could ill afford to lose have been drawn away. The student body have secured high places in inter-collegiate athletics, oratorical and forensic contests, adding much to the repute of the university, already holding an honorable rank for scholarship and culture. While the state university is the largest and best-equipped in the state, it possesses no monopoly of the superior education. There are at least fifteen other degree-conferring institutions. More than half of the number are Lutheran colleges or seminaries, in which excellent instruction is given in the classical languages, history, and philosophy. The Roman Catholic colleges, also strong in the



humanities, are St. John's University and the College of St. Thomas. The leading Protestant institutions which have passed out of the experimental stage are Carleton College at Northfield, and Macalester College and Hamline University, both within the limits of St. Paul. All are open to women, maintain excellent preparatory departments, and do well the work they undertake to do.

The notable development of the university College of Agriculture at St. Anthony Park cannot here have adequate room, but mention must be made of one of its auxiliaries, the so-called "School of Agriculture." From the year 1868, when the agricultural college lands were merged with those of the university, the regents and faculty of the university had exerted themselves in all good faith to gather students into the agricultural college which they had promptly organized on paper. The farmers' boys flocked to the university, but not to learn agriculture to practice it. Only occasionally could any be induced to enroll in that college. Up to 1888 not fifty had so done, and but one had completed the course and been graduated. The first president had declared that there was no proper work for an agricultural "college" to do, and that agricultural schools of secondary rank must be organized. Professor Edward A. Porter of the university department of agriculture, after some years of experiment and reflection, became convinced that such a school should be undertaken, and that, not

on the university campus, but on the experimental farm some two miles away. He brought the board of regents to his opinion through the influence of an "advisory board of farmers" which he induced them to appoint. State Superintendent D. L. Kiehle, a member of the board of regents *ex-officio*, worked out the pedagogical details, and early in 1888 submitted the plan of a "school" of agriculture to receive students of fifteen and over, with a common-school training, for a term extending from November to April. His idea was to make the instruction practical in the branches immediately related to agriculture, cultivating powers of observation and judgment, and arousing interest in and taste for country life. The school was opened October 18, 1888, with forty-seven students. Young women were admitted in 1897, and a second-year course has been added. The school expenses proper do not exceed eighty-five dollars a year. The enrollment of students for 1908 was 581, and the whole number since 1888 is 4608. A notable fact is that this "school" has stimulated and fed the "college" of agriculture, 69 students having been graduated since the opening of the school. The framers of the "Morrill bill" of 1857-62, granting public lands for the endowment and support of colleges of agriculture and mechanic arts, could have had no expectation of any such use of the grant, and doubtless would have provided against devoting it to elementary education. The industrial

education had yet to be invented for this country. But this school of agriculture is far better for the practical farmer than any college could be.

One department of the school of agriculture of the university has had no small part in working a great change in Minnesota agriculture. While the state as a whole will long retain a leading place as a wheat producer, all southern Minnesota has abandoned that cereal as a principal crop. Supplied from the department of dairy husbandry of the school of agriculture with expert operators of creameries and cheese factories, the farmers of many counties have turned to dairying. Minnesota butter, thanks to the science and practice taught in the school, commands a premium in the market, and its annual output has run up to near 100,000,000 pounds. Minnesota has become the "Bread and Butter State." The total dairy product of Minnesota in 1907 may be safely valued at \$40,000,000. Along with dairying has naturally grown up an extensive animal husbandry, profitably converting into marketable forms the forage crops of great areas.

At the experiment station conducted in the agricultural department of the university new varieties of grains, in particular wheat, have been developed by careful breeding and selection, which promise much to Minnesota farmers.

Adjoining the agricultural establishment of the university is the domain of two hundred acres and

more on which the Minnesota State Agricultural Society, in a vast range of buildings and inclosures, holds its annual fair in September. Given this permanent location in 1885, the society has developed a great industrial museum of high educational value.

For many years after the white man built his sawmills on Minnesota rivers it was believed that the pine forests north and east of the Sioux-Chippeway intertribal boundary of 1825 could never be exhausted. A generation ago that belief was given up, but exhaustion was thought to be so far away that people then living need not worry about it. There being no public control over private lumbering, the reckless, indiscriminate, ruinous methods of the pioneer operators were continued. Young growing trees went down along with those old and ripe for the axe. Within a few years it has become apparent to all who concern themselves, that the days of Minnesota lumbering in the old piratical fashion are numbered. Had a reasonable forest policy been established fifty years ago, permitting only the annual cutting of ripe trees and leaving the young to grow, a harvest of lumber might have been reaped in perpetuity. There are millions of acres of land in the state which are fit only for forest growth and will some day be so devoted. An act of the legislature of 1899 created a state forestry board, which has al-

ready outlined a policy and begun the immense work of re-afforesting despoiled areas. Another act, that of 1905, provides for a forest commissioner, and to that office has been appointed General C. C. Andrews, who for many years has been the apostle of forest preservation and replanting in Minnesota.

In 1878 the state geologist, Professor N. H. Winchell, announced the existence of iron ore fit for steel production about Vermilion Lake in St. Louis County ; but neither the university nor the state authorities took sufficient interest to cause a proper examination of the region to be made. George C. Stone of Duluth conducted explorations whose revelations led to the formation of the Minnesota Iron Company and the building of the Duluth and Iron Range Railroad in 1884. In that year 62,122 tons of ore were shipped from the mine opened at Tower. Four years later the railroad was extended to Ely, and 54,612 tons were carried from the Chandler mine. The product of the Vermilion range increased with astonishing rapidity. It was near a half million tons in 1888, and double that figure four years later.

Marvelous as had been the development of the Vermilion range, it was eclipsed by that of another of which geologists had detected but faint indications. In November 1890, an exploring party of the Merritt Brothers of Duluth found iron ore at a point west of Virginia, near which the Great Mountain iron mine was later opened. A year after one

of their explorers found ore turned up by the roots of a fallen tree. A shaft sunk on the spot struck the ore body of the Biwabik mine. From these beginnings date the developments of the Mesabi iron range, lying some twenty miles south of and parallel with the Vermilion range, but extending much farther to the west. In 1892, 4245 tons of ore were shipped over the railroads which had been built out from Duluth to the Mesabi mines. Three years later the shipments were nearly three millions of gross tons; in 1900 they had swelled to nearly eight millions, and in 1907 they touched twenty-seven and a half millions. The shipment in the year last named from a certain single mine was 2,900,493 tons. The Mesabi ores are of the "soft" variety, lie near the surface, and are in large part mined by means of steam shovels dumping into cars; these, in the shipping season, are at once dispatched to the lake ports, where the ore is transferred to vessels which carry it below. The output of the Vermilion range has remained under two millions a year, except in a single case. The ores of both ranges are of the variety known as hematite, with great differences of physical structure. Much of them yield seventy per cent. of pure metal. Ore containing less than fifty-five per cent. of iron is not now considered marketable, and there are enormous masses of such low grade ore left untouched by the mine operators. At least 1,500,000,000 tons of ore marketable under present conditions have been located and



measured. The state tax commission in 1907 raised the valuation of 2116 ore properties, containing 1,192,509,757 tons, from \$64,500,000 in 1906 to \$189,500,000.

An act of Congress of 1873 expressly excepted Minnesota from the operation of the mining laws of the United States, leaving all her mineral lands open to settlement or purchase in legal subdivisions, like agricultural or timbered lands, thus virtually giving to lucky speculators these priceless ore deposits. Up to 1889 the state pursued the same policy, selling her school and swamp lands containing ore at the annual sales and getting the usual prices for arable lands. In 1889 the legislature provided for the leasing of ore properties for fifty years at a royalty of twenty-five cents per ton. At this rate, less than one third that obtained by private mine owners, the school fund will be splendidly enriched. The receipts from royalties and contracts in 1907 were \$273,433.

At the close of the year 1907 the railroads of Minnesota had increased their mileage to 8023 miles, having almost doubled it in twenty years. The Supreme Court of the United States in the Blake case, decided in 1876, had affirmed the right of the state of Minnesota to regulate railroad fares and rates, according to the pleasure of the legislature. In 1890 came a decision from the same tribunal in another Minnesota case to the effect that

any regulation, whether by statute or through a commission, must be subject to judicial review. The legislature could not deprive a railroad company of its property — rents, issues, and profits included — without due process of law, much less could a commission. This decision with others of the period materially moderated the effect of the “granger cases.” Another litigation arising in the state was of national importance. A small clique of capitalists who had bought control of the Great Northern and Northern Pacific railway systems, each of eight thousand miles and more, desiring to operate them as one property or interest, formed a third corporation called the Northern Securities Company. It was chartered in New Jersey, November 13, 1900, with an authorized capital stock of \$400,000,000. When duly organized this company proceeded to exchange its own stock for the stocks of the Great Northern and Northern Pacific, and absorbed more than three fourths of them. This consolidation, effecting a monopoly of all traffic between the Mississippi and the Pacific coast for five degrees of latitude, caused the greatest alarm. Governor Van Sant used every means at his disposal to prevent its consummation. A suit, brought by the state in one of her district courts alleging violation of her statute forbidding the consolidation of parallel and competing roads, removed to the Circuit Court of the United States, was there decided against the state on the ground that the Northern Securities

was not a railroad company, but a mere "holding company." An appeal was taken to the Supreme Court of the United States, but that court declined to review the action below because the case had been improperly removed from the Minnesota court. Without waiting for the result of this suit, the Attorney-General of the United States sued in the Circuit Court of the United States for Minnesota, charging infraction of the "Sherman anti-trust law" of 1890. That court, after elaborate hearings, found the Northern Securities Company to be an unlawful combination in restraint of trade, and ordered its dissolution. As was expected, an appeal was taken to the Supreme Court, where in March, 1904, the decision below was affirmed, the chief justice and three associates dissenting. Under judicial direction the Northern Securities Company proceeded to return the stocks taken in exchange, and at length went into dissolution. The same men own the two roads still.

Early in the present year the Supreme Court of the United States considered that the Circuit Court for the District of Minnesota had the right to punish the attorney-general of Minnesota for attempting, in disobedience of its process, to enforce a state law regulating railroad rates, held to be obnoxious to the national constitution.

Minnesota enjoys a great advantage in point of transportation to both oceans in the competition of Canadian roads, with branches penetrating to her

principal cities. The water route eastward from Duluth has moderated costs of shipping out her staple products — grain, ore, and lumber — and given her favorable rates on returning merchandise.

The new states of the Northwest have departed far from the conservative doctrine that governments exist merely for the protection of persons and property. Two examples of this departure in Minnesota may be mentioned. In 1899 the legislature created the Minnesota Public Library Commission. Its duties are to maintain (1) a bureau of information on library matters, (2) a circulating library, and (3) a clearing-house for periodicals. From the circulating library, "traveling libraries" of twenty-five or fifty volumes are sent to small towns and rural communities on payment of a small fee. Home study and juvenile libraries are also sent out, and small collections in five different foreign languages. No provision for the general culture could be more popular.

Equally acceptable have been the ministrations of the Minnesota State Art Society, organized under an act of 1903. This body manages periodical art exhibitions, offers and awards prizes for excellence in artistic work, and will ultimately form a permanent collection. The exhibitions, held in St. Cloud, Mankato, and Winona have been of great educational value.

Minnesota lies between the latitudes of 43 degrees, 30 minutes, and 49 degrees north, and the longitudes

of 89 degrees, 29 minutes, and 97 degrees, 15 minutes west. Her extreme dimensions are therefore about 380 miles from north to south and 350 miles from east to west. Her situation is not far from the geographical centre of the North American continent, and the drainage from the Itasca plateau falls into Hudson's Bay, the Gulf of St. Lawrence, and the Gulf of Mexico. The lowest land is at the head of Lake Superior, whose surface is 602 feet above sea-level. The highest land a granite peak of the Misquah hills in Cook County, is 2230 feet above sea-level. The annual mean temperature is 44 degrees Fahrenheit; that of the summer months, 70 degrees. The climate has proved favorable to health and industry.

By the state census of 1905 the total population of Minnesota was 1,979,912, including 10,920 Indians, 171 Chinese, and 50 Japanese. The native born were 1,424,333. Of the 537,041 foreign-born persons, 262,417 came from the Scandinavian kingdoms, 119,868 from Germany, 84,022 from English-speaking countries. The average yearly increase for the decade closing in 1905 was 40,529; for the five-year period, 22,852. The urban population was 1,048,922, equal to 53 per cent. of the total. In the same decade the urban population had increased 38 per cent., while the rural population had augmented but 14.5 per cent. The most notable examples of urban development are in the "twin cities" of Minneapolis and St. Paul, their aggregate

population in 1905 being 458,997. If the suburban dwellers within easy "trolley" ride be added, that number rises to more than half a million. Although the two municipalities have long been coterminous, they may remain politically separate for many years, if not indefinitely.

POPULATION OF MINNESOTA FOR TWELVE CENSUS YEARS.

	FEDERAL CENSUS.	STATE CENSUS.
1850 . . . . .	6,077	
1857 . . . . .		150,037
1860 . . . . .	172,123	
1865 . . . . .		250,099
1870 . . . . .	439,706	
1875 . . . . .		597,407
1880 . . . . .	780,773	
1885 . . . . .		1,117,798
1890 . . . . .	1,301,826	
1895 . . . . .		1,574,619
1900 . . . . .	1,751,394	
1905 . . . . .		1,979,912





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